
DIGEST

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HB 167 Original

2026 Regular Session

Freiberg

Abstract: Provides for the issuance of certain documentation and certification to inmates before their release from incarceration.

Proposed law requires the Dept. of Public Safety and Corrections (DPS&C) to provide an inmate with the relevant documentation to assist with the obtaining of post-release employment when the inmate has designated his intended residence within the state of La. and has been released from a term of imprisonment resulting from the commission of a felony offense.

Proposed law requires the DPS&C to coordinate with the office of motor vehicles (OMV) to do the following:

- (1) Determine whether an inmate has any form of a state ID card or a driver's license and begin the process of gathering the documentation required for the issuance of a special ID card pursuant to present law (R.S. 40:1321) within nine months prior to the release of an inmate.
- (2) Provide a special ID card to any eligible inmate who does not have a current state ID card or driver's license upon his release from custody. Further provides for the manner of issuing, replacing, cancelling, and denying the special ID card.

Proposed law requires the OMV to permit an inmate to use certain documents as a valid form of photo identification in order to obtain a special ID card and determine and assess a reasonable fee for the issuance of the special ID card.

Proposed law defines "time computation record". Provides that a special ID card issued with a time computation record to an inmate is nonrenewable, nontransferable, and is valid for a period of four years from the month of issuance.

Proposed law provides relative to funds that the DPS&C may utilize to implement and administer proposed law.

Proposed law applies only to inmates who receive a special ID card pursuant to present law (R.S. 40:1321).

Proposed law requires the DPS&C to provide certain documentation and notification to an inmate for the purpose of assistance with obtaining post-release employment. Further exempts the issuance of certain documents for inmates who meet certain criteria.

Proposed law requires the DPS&C, in addition to issuing the documentation provided in proposed law, to issue a certificate of employability to an inmate upon release if he meets certain requirements regarding the completion of certified treatment and rehabilitation programming, has earned any educational diploma or degree, has earned a competent score on a job skills assessment test administered by the DPS&C, and has not committed any disciplinary offenses in 12 consecutive months prior to his release.

Proposed law provides for the form of the certificate, restrictions that are not affected by the earning of the certificate, and proceedings for revocation of a certificate.

Proposed law provides that the revocation of a certificate does not affect the right of an employer who relied on the validity of the certificate unless the employer knew that the certificate was fraudulent prior to employment of the individual.

Proposed law requires the DPS&C, upon request, to confirm whether a certificate has been issued to a named individual and whether the certificate is valid at both the time of the inquiry and at the time of response to that inquiry.

Proposed law provides that the DPS&C shall not be civilly liable for any damages based upon its decision to issue, deny, revoke, or decline to revoke a certificate issued to any inmate.

Proposed law provides a defense in any proceeding that alleges negligent hiring against certain individuals relative to knowledge of the certificate at the time of the alleged negligence. Further provides that this defense does not apply in cases where the individual knew or should have known that the employee should not have been hired for the position due to information obtained from a background check, including criminal history.

Proposed law provides for duties of the DPS&C pertaining to notification of incoming inmates regarding the eligibility requirements associated with a certificate of employability and the submission of an annual report to certain legislative committees.

Proposed law authorizes the DPS&C, office of motor vehicles, and office of adult services to promulgate rules in accordance with the APA to implement the provisions of proposed law.

Proposed law provides that a certificate of employability issued from the DPS&C pursuant to proposed law may be introduced in evidence at a judicial or administrative proceeding that alleges the negligence or other fault of certain individuals for the negligent hiring of or failure to adequately supervise an individual who has been issued a certificate if the hirer or supervisor knew of the certificate at the time of the alleged negligence or other fault.

(Adds R.S. 15:828.5 and 828.6 and C.E. Art. 416)