

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1123

By: Winchester

AS INTRODUCED

An Act relating to motor vehicles; establishing "Oklahoma KIDS ID Act"; providing short title; defining terms; authorizing Department of Public Safety to establish certain program; authorizing rule promulgation; authorizing fingerprinting of minors under certain circumstances; establishing certain fees; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-101.2 of Title 47, unless there is created a duplication in numbering, reads as follows:

Sections 1 through 3 of this act shall be known and may be cited as the "Oklahoma KIDS ID Act."

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-101.3 of Title 47, unless there is created a duplication in numbering, reads as follows:

For purposes of the Oklahoma KIDS ID Act:

1. "Fingerprint" means the scanning of the lines upon the fingertip of a minor collected by a fingerprint imaging system and retained within a computer system maintained by the Department of Public Safety and placed upon an identification card for the purpose of identifying the minor;
2. "Department" means the Department of Public Safety;
3. "Minor" or "child" means a person between two (2) and sixteen (16) years of age;

4. "Parent" means a person who is the natural or adoptive parent, the legal guardian, or the legal custodian of the minor and who has actual physical custody of the minor; and

5. "Identification card" means a plastic card issued by the Department which contains certain digitized or computer-generated information about a minor, as specified in this act, for the purpose of identifying a minor.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-101.4 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. The Department shall develop an identification program, including the taking and retention of fingerprints, for children of this state to be known as the Oklahoma KIDS ID Program. The program may be developed in conjunction with any organization providing assistive services on a voluntary basis. Such assistive services may include the donation of money to aid in defraying the costs of creating and issuing the identification cards. Any such donated money shall be considered a gift to the Department and shall be deposited to the credit of the Department of Public Safety Revolving Fund to be used solely for the administration and maintenance of the Oklahoma KIDS ID Program.

B. The program shall be developed for the sole purpose of providing a means through the issuance of identification cards by which a missing child might be located or identified and shall be administered under the following guidelines:

1. No child shall be required to participate in the program;

2. The Department shall have the sole authority and responsibility for the collection, retention, and dissemination of computerized fingerprints, computerized photographs, and other information collected for the program;

3. In order for a child to participate in the program, the parent of the child shall authorize the participation of the child

by signing a form that shall be developed for the program by the Department. No child shall be fingerprinted unless a signed authorization form is in the possession of the Department;

4. The fingerprinting of minors shall be performed by employees of the Department;

5. The Department shall retain all fingerprints collected. The fingerprints retained by the Department shall be destroyed by the Department on the minor's sixteenth birthday;

6. The name, sex, hair and eye color, height, weight, date of birth, a computerized photograph, and fingerprints of the child shall be displayed on the identification card; and

7. The identification card shall be issued for two (2) years and shall include, in a conspicuous place on the card, a statement that the card may be used for identification purposes only and may not be used in any juvenile or criminal investigation or proceeding conducted against the child. An identification card prepared pursuant to the Oklahoma KIDS ID Program may be used by a law enforcement agency only to help identify a minor who is lost, missing, kidnapped, or killed.

C. The Commissioner of Public Safety shall promulgate rules as may be necessary to carry out the provisions of this act.

D. Upon request of a parent of a minor and the presentation of the minor at the Department, the Department shall take fingerprints of the minor, a computerized picture of the minor, and obtain certain other identifying information about the minor and shall issue an identification card to the parent which shall contain the computerized picture of the minor, fingerprints of the minor and other information about the minor, as prescribed in this act.

E. The fee charged for an identification card issued under this act shall be Ten Dollars (\$10.00). All monies collected from the issuance of such identification cards shall be deposited to the credit of the Department of Public Safety Revolving Fund to be used

solely for the administration and maintenance of this program and of the computer imaging system of the Department.

SECTION 4. This act shall become effective July 1, 2001.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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