

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

FLOOR SUBSTITUTE  
FOR  
SENATE BILL NO. 1823

By: Lawler and Johnson  
(Constance) of the Senate

and

Terrill of the House

FLOOR SUBSTITUTE

[ corrections - driver license - state identification  
card - codification - effective date -

emergency ]

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

SECTION 1. AMENDATORY 57 O.S. 2001, Section 512, is  
amended to read as follows:

Section 512. A. Any inmate in a state penal institution who  
has been granted a parole shall be released from the institution  
upon the following conditions:

1. ~~That he~~ The person shall comply with specified requirements  
of the Division of Community Services of the Department of  
Corrections under the active supervision of a Probation and Parole  
Officer. Such active supervision shall be for a period not to  
exceed three (3) years, except as provided in paragraph 2 of this  
section; and

2. ~~That he~~ The person shall be actively supervised by a  
Probation and Parole Officer for an extended period not to exceed  
the expiration of the maximum term or terms for which ~~he~~ the person  
was sentenced if convicted of a sex offense or upon the  
determination by the Division of Community Services that the best  
interests of the public and the parolee will be served by such an  
extended period of supervision.

Provided, for the purposes of this section, the term "sex offense" shall not include a violation of paragraph 1 of subsection A of Section 1021 of Title 21 of the Oklahoma Statutes.

B. The Probation and Parole Officer, upon sufficient information ~~sufficient~~ to give ~~him~~ reasonable grounds to believe that the parolee has violated the terms of and conditions of his or her parole, shall notify the Deputy Director of the Division of Community Services in accordance with Section 516 of Title 57 of the Oklahoma Statutes.

C. On and after the effective date of this act, every parolee shall be given either a valid driver license or a valid state identification card to have in the person's possession upon parole release, if such license or identification was obtained or maintained as provided in Section 3 of this act.

SECTION 2. AMENDATORY 57 O.S. 2001, Section 513, is amended to read as follows:

Section 513. A. When any prisoner ~~shall be~~ is discharged from the institution, the Warden or superintendent shall furnish ~~him with~~ the person proper and necessary clothing, a valid driver license or state identification card, if such was obtained or maintained by the Department of Corrections according to Section 3 of this act, and a railroad or bus ticket to ~~his~~ the person's home community within the State of Oklahoma, if it is not in the county in which the institution is located; and if ~~his~~ the person's home community is outside the State of Oklahoma, the warden or superintendent may furnish the necessary tickets to ~~his~~ the person's home community ~~or,~~ the county in which the sentence was imposed, or the community or county in which the person intends to reside within this state; and if ~~he~~ the person does not have Fifty Dollars (\$50.00) to his or her credit, the Warden or superintendent may furnish such sum as will afford ~~him~~ such person Fifty Dollars (\$50.00).

B. Funds necessary to provide ~~said~~ clothing, transportation and Fifty Dollars (\$50.00) shall be drawn from a petty cash fund to be established at each institution of the ~~Oklahoma~~ Department of Corrections. ~~Said~~ The Petty Cash Fund shall be governed by the rules ~~and regulations~~ established by the ~~Oklahoma State Budget~~ Office of State Finance.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 512.1 of Title 57, unless there is created a duplication in numbering, reads as follows:

A. Except as otherwise provided in this section, every inmate received into the Department of Corrections for a term of incarceration who has a valid driver license or state identification card shall be required to maintain such driver license or identification card at the inmate's expense. The Department of Corrections shall implement a process to identify and maintain valid inmate driver licenses and state identification cards during terms of incarceration so that, when an inmate is paroled or released from incarceration, such person has a valid driver license or state identification card in the person's possession. The cost of obtaining, maintaining and renewing any driver license or state identification card shall be deemed an inmate expense and a cost of incarceration and may be deducted from any funds accruing to such inmate's trust account or shall be otherwise payable by the inmate as established by Department policy.

B. Except as otherwise provided in this section, any inmate received into the custody of the Department for a term of incarceration who is without a valid driver license or state identification shall be provided services to acquire an Oklahoma state identification card prior to parole or release from incarceration. The Department of Corrections shall deem invalid any driver license subject to any term of suspension or revocation. The Department may deem invalid out-of-state driver licenses and out-of-

state identification cards, but nothing in this subsection shall be construed to prohibit the Department from allowing any out-of-state inmate to maintain a valid driver license or valid state identification card from such inmate's home state while incarcerated in this state; provided, all costs of maintaining such licenses or identification card are paid by the inmate, and the inmate is sent to reside in such state upon parole or release from incarceration in this state.

C. On and after the effective date of this act, no inmate shall be paroled or released from incarceration without having either a valid driver license or a valid state identification card in their possession.

D. Any valid driver license and valid state identification card obtained by an inmate prior to reception into the Department of Corrections or any state identification card obtained while incarcerated in this state shall be appropriately controlled by the Department or another state agency until the inmate is paroled or released from custody. The Department of Corrections and the Department of Public Safety shall develop a cooperative policy for holding, changing addresses and processing an inmate's driver license or state identification card during a term of incarceration and in preparation for parole or release from custody. Whenever the address on any inmate's driver license or identification card has been changed to a state agency for holding purposes during a term of incarceration, such inmate shall be required to process a new address change prior to parole or release from incarceration; and from the date of this address change, the Department and all state agencies shall be relieved from all responsibilities required pursuant to this section.

E. Nothing in this section shall be construed to authorize the Department of Corrections or any state agency to maintain, renew or reinstate any driver license or state identification card for any

inmate sentenced to incarceration for any term more than twenty (20) years, sentenced to life or life without parole, or for any inmate sentenced to death.

F. Nothing in this section shall be construed to authorize any driving privilege contrary to law, or the maintenance, reinstatement or renewal of any driver license or state identification card obtained contrary to law, or the application for a driver license or state identification card in any manner contrary to law.

G. The Department of Corrections and the Department of Public Safety shall not charge any fee or cost in addition to the actual driver license or state identification fee established for other citizens of this state.

SECTION 4. This act shall become effective July 1, 2006.

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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