

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1735

By: Peters

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6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2001, Section 1550.42, as amended by Section
9 4, Chapter 112, O.S.L. 2007 (21 O.S. Supp. 2008,
10 Section 1550.42), which relates to identification
documentation; modifying application requirements for
the issuance of certain identification documents; and
providing an effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2001, Section 1550.42, as
15 amended by Section 4, Chapter 112, O.S.L. 2007 (21 O.S. Supp. 2008,
16 Section 1550.42), is amended to read as follows:

17 Section 1550.42 A. The following entities may create, publish
18 or otherwise manufacture an identification document, identification
19 card, or identification certificate and may possess an engraved
20 plate or other such device for the printing of such identification;
21 provided, the name of the issuing entity shall be clearly printed
22 upon the face of the identification:

23 1. Businesses, companies, corporations, service organizations
24 and federal, state and local governmental agencies for employee

1 identification which is designed to identify the bearer as an
2 employee;

3 2. Businesses, companies, corporations and service
4 organizations for customer identification which is designed to
5 identify the bearer as a customer or member;

6 3. Federal, state and local government agencies for purposes
7 authorized or required by law or any legitimate purpose consistent
8 with the duties of such an agency, including, but not limited to,
9 voter identification cards, driver licenses, nondriver
10 identification cards, passports, birth certificates and social
11 security cards;

12 4. Any public school or state or private educational
13 institution, as defined by ~~Sections~~ Section 1-106, 21-101 or 3102 of
14 Title 70 of the Oklahoma Statutes, to identify the bearer as an
15 administrator, faculty member, student or employee;

16 5. Any professional organization or labor union to identify the
17 bearer as a member of the professional organization or labor union;
18 and

19 6. Businesses, companies or corporations which manufacture
20 medical-alert identification for the wearer thereof.

21 B. All identification documents as provided for in paragraph 3
22 or 4 of subsection A of this section shall be issued only to United
23 States citizens, nationals and legal permanent resident aliens.

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1 C. The provisions of subsection B of this section shall not
2 apply when an applicant presents, ~~in person,~~ valid documentary
3 evidence of:

4 1. A valid, unexpired immigrant or nonimmigrant visa status for
5 admission into the United States;

6 2. A pending or approved application for asylum in the United
7 States;

8 3. Admission into the United States in refugee status;

9 4. A pending or approved application for temporary protected
10 status in the United States;

11 5. Approved deferred action status; or

12 6. A pending application for adjustment of status to legal
13 permanent residence status or conditional resident status.

14 Upon approval, the applicant may be issued an identification
15 document provided for in paragraph 3 or 4 of subsection A of this
16 section. Such identification document shall be valid ~~only during~~
17 ~~the period of time of the authorized stay of the applicant in the~~
18 ~~United States or, if there is no definite end to the period of~~
19 ~~authorized stay, a period of one (1) year~~ for the expressed term
20 afforded to all other legal residents. Any identification document

21 issued pursuant to the provisions of this subsection shall clearly
22 indicate that it is temporary and shall state the date that the
23 identification document expires. Such identification document may
24 be renewed only upon presentation of valid documentary evidence that

1 the status by which the applicant qualified for the identification
2 document has been extended by the United States Citizenship and
3 Immigration Services or other authorized agency of the United States
4 Department of Homeland Security.

5 D. The provisions of subsection B of this section shall not
6 apply to an identification document described in paragraph 4 of
7 subsection A of this section that is only valid for use on the
8 campus or facility of that educational institution and includes a
9 statement of such restricted validity clearly and conspicuously
10 printed upon the face of the identification document.

11 E. Any driver license issued to a person who is not a United
12 States citizen, national or legal permanent resident alien for which
13 an application has been made for renewal, duplication or reissuance
14 shall be presumed to have been issued in accordance with the
15 provisions of subsection C of this section; provided that, at the
16 time the application is made, the driver license has not expired, or
17 been cancelled, suspended or revoked. The requirements of
18 subsection C of this section shall apply, however, to a renewal,
19 duplication or reissuance if the Department of Public Safety is
20 notified by a local, state or federal government agency of
21 information in the possession of the agency indicating a reasonable
22 suspicion that the individual seeking such renewal, duplication or
23 reissuance is present in the United States in violation of law. The

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1 provisions of this subsection shall not apply to United States
2 citizens, nationals or legal permanent resident aliens.

3 SECTION 2. This act shall become effective November 1, 2009.

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