

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 1310

By: Stark

7 COMMITTEE SUBSTITUTE

8 An Act relating to identification cards; creating the
9 Inmate ID Act of 2020; requiring certain agency
coordination to issue certain identification cards to
10 offenders upon release; requiring the gathering of
certain information; excepting certain individuals
11 from requirement; allowing the use of certain funds;
authorizing the promulgation of rules; amending 47
12 O.S. 2011, Section 6-105.3, as last amended by
Section 2, Chapter 1, O.S.L. 2017 (47 O.S. Supp.
2019, Section 6-105.3), which relates to the issuance
13 of identification cards; requiring certain agency
coordination; requiring identification cards be
14 issued, canceled, revoked, denied and replaced in
same manner as driver licenses; allowing for use of
15 certain identification document; providing for period
of validity; providing for issuance fees; providing
16 for nonrenewability; authorizing the promulgation of
rules; providing for codification; providing for
17 noncodification; and providing an effective date.

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

21 SECTION 1. NEW LAW A new section of law not to be
22 codified in the Oklahoma Statutes reads as follows:

23 This act shall be known and may be cited as the "Inmate ID Act
24 of 2020".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 116 of Title 57, unless there is
3 created a duplication in numbering, reads as follows:

4 The Department of Corrections shall coordinate with the
5 Department of Public Safety to provide REAL ID Noncompliant
6 Identification Cards to all offenders, who do not have a current
7 state-issued identification card or driver license within nine (9)
8 months prior to their release. Within nine (9) months prior to an
9 offender's release from custody, the Department of Corrections shall
10 identify those offenders who do not have a current form of state
11 identification and begin the process of gathering the documentation
12 required for the issuance of a REAL ID Noncompliant Identification
13 Card pursuant to Section 6-105.3 of Title 47 of the Oklahoma
14 Statutes. In the event an offender has any valid form of a state-
15 issued identification card or driver license, the offender may avail
16 himself or herself of the provisions of this section. The
17 Department of Corrections may utilize any funds available to fund
18 the purchase of the aforementioned identification cards including,
19 but not limited to, existing Department of Corrections funds,
20 offender funds and donations. The Department of Corrections is
21 authorized to promulgate rules and procedures to implement the
22 provisions of this section. The provisions of this section shall
23 apply only to offenders who may receive a state-issued

1 identification card pursuant to Section 1550.42 of Title 21 of the
2 Oklahoma Statutes.

3 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-105.3, as
4 last amended by Section 2, Chapter 1, O.S.L. 2017 (47 O.S. Supp.
5 2019, Section 6-105.3), is amended to read as follows:

6 Section 6-105.3 A. In addition to the licenses to operate
7 motor vehicles, the Department of Public Safety may issue cards to
8 Oklahoma residents for purposes of identification only. The
9 identification cards shall be issued, renewed, replaced, canceled
10 and denied in the same manner as driver licenses in this state. The
11 application for an identification card by any person under the age
12 of eighteen (18) years shall be signed and verified by a custodial
13 legal parent or legal guardian, either in person before a person
14 authorized to administer oaths or electronically if completing an
15 online application, or a notarized affidavit signed by a custodial
16 legal parent or legal guardian submitted before a person authorized
17 to administer oaths by the person under the age of eighteen (18)
18 years with the application. Except as otherwise provided in this
19 section, the identification cards shall be valid for a period of
20 four (4) years from the month of issuance; however, the
21 identification cards issued to persons sixty-five (65) years of age
22 or older shall be valid indefinitely from the month of issuance.

23 B. The Department of Corrections shall coordinate with the
24 Department of Public Safety to provide REAL ID Noncompliant

1 Identification Cards to all offenders, who do not have a current
2 state-issued identification card or driver license, upon their
3 release. The identification cards shall be issued, renewed,
4 replaced, canceled and denied in the same manner as driver licenses
5 in this state. However, if no other form of identification is
6 available, the Department of Public Safety shall allow the use of a
7 Department-of-Corrections-issued consolidated record card to serve
8 as a valid identification document to obtain a REAL ID Noncompliant
9 Identification Card. The REAL ID Noncompliant Identification Cards
10 shall be valid for a period of two (2) years from the month of
11 issuance for a fee of Twelve Dollars and fifty cents (\$12.50) and
12 are nonrenewable. The Department of Public Safety is authorized to
13 promulgate rules and procedures to implement the provisions of this
14 subsection.

15 C. No person shall hold more than one state-issued or
16 territory-issued REAL ID Compliant Driver License or REAL ID
17 Compliant Identification Card, as defined in subsection G of Section
18 6-101 of this title. The Department shall not issue a REAL ID
19 Compliant Identification Card to any applicant who has been
20 previously issued a REAL ID Compliant Driver License or REAL ID
21 Compliant Identification Card unless such license or identification
22 card has been surrendered to the Department by the applicant. The
23 Department may promulgate rules related to the issuance of
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1 replacement REAL ID Compliant Identification Cards in the event of
2 loss or theft.

3 ~~C.~~ D. The fee charged for the issuance, renewal, or replacement
4 of a REAL ID Compliant Identification Card shall be Twenty-five
5 Dollars (\$25.00). The fee charged for the issuance, renewal or
6 replacement of a REAL ID Noncompliant Identification Card pursuant
7 to this section shall be Twenty-five Dollars (\$25.00); however, no
8 person sixty-five (65) years of age or older shall be charged a fee
9 for an identification card. Of each fee charged pursuant to the
10 provisions of this subsection:

11 1. Seven Dollars (\$7.00) shall be apportioned as provided in
12 Section 1104 of this title;

13 2. Three Dollars (\$3.00) shall be credited to the Department of
14 Public Safety Computer Imaging System Revolving Fund to be used
15 solely for the purpose of the administration and maintenance of the
16 computerized imaging system of the Department;

17 3. Ten Dollars (\$10.00) shall be deposited in the Department of
18 Public Safety Revolving Fund;

19 4. Three Dollars (\$3.00) shall be deposited to the State Public
20 Safety Fund created in Section 2-147 of this title; and

21 5. a. Two Dollars (\$2.00) of the fee authorized by this
22 subsection related to the issuance, renewal or
23 replacement of an identification card by a motor
24 license agent that does not process approved

1 applications or renewals for REAL ID Compliant Driver
2 Licenses or Identification Cards shall be deposited,
3 in addition to the amount authorized by paragraph 4 of
4 this subsection, to the State Public Safety Fund
5 created in Section 2-147 of this title, or

6 b. Two Dollars (\$2.00) of the fee authorized by this
7 subsection related to the issuance, renewal or
8 replacement of an identification card by a motor
9 license agent that does process approved applications
10 or renewals for REAL ID Compliant Driver Licenses or
11 Identification Cards shall be retained by the motor
12 license agent.

13 ~~D.~~ E. The Oklahoma Tax Commission is hereby authorized to
14 reimburse, from funds available to that agency, each motor license
15 agent issuing an identification card to a person sixty-five (65)
16 years of age or older, an amount not to exceed One Dollar (\$1.00)
17 for each card or driver license so issued. The Tax Commission shall
18 develop procedures for claims for reimbursement.

19 ~~E.~~ F. When a person makes application for a new identification
20 card, or makes application to renew an identification card, and the
21 person has been convicted of, or received a deferred judgment for,
22 any offense required to register pursuant to the Sex Offenders
23 Registration Act, the identification card shall be valid for a
24 period of one (1) year from the month of issuance, but may be

1 renewed yearly during the time the person is subject to registration
2 on the Sex Offender Registry. The cost for such identification card
3 shall be the same as for other identification cards and renewals.

4 SECTION 4. This act shall become effective November 1, 2020.
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