

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL NO. 960

By: Shaw

6 AS INTRODUCED

7 An Act relating to fingerprints; amending 47 O.S.
8 2011, Section 6-110.2, as amended by Section 2,
9 Chapter 96, O.S.L. 2015 (47 O.S. Supp. 2018, Section
10 6-110.2), which relates to computerized finger
11 imaging system; modifying agencies who have certain
12 access; and providing an effective date.

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

13 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-110.2, as
14 amended by Section 2, Chapter 96, O.S.L. 2015 (47 O.S. Supp. 2018,
15 Section 6-110.2), is amended to read as follows:

16 Section 6-110.2. A. The Department of Public Safety shall
17 implement a procedure for computerized finger imaging by means of an
18 inkless finger image scanning device and shall require every
19 applicant for an original, renewal or replacement driver license or
20 identification card to submit to finger imaging for the purposes of
21 proof of identity and to ensure the security of the driver license
22 or identification card issued to the applicant. If the finger image
23 of a person over sixty-five (65) years of age cannot be scanned and
24 the issuing agent can personally verify the individual's identity

1 with alternative identification the finger imaging shall be
2 overridden. Means must be provided to trace to the agent who
3 authorized the override.

4 B. No unemancipated person under eighteen (18) years of age
5 shall be issued a driver license or identification card by the
6 Department unless an authorization form, prescribed and furnished by
7 the Department, or notarized affidavit authorizing the finger
8 imaging of the person and signed by the legal custodial parent,
9 legal guardian, or legal custodian of the person, is in the
10 possession of the Department.

11 C. For the purpose of aiding the process of positively
12 identifying deceased individuals, the Oklahoma State Bureau of
13 Investigation shall have access to the computerized finger imaging
14 of the Department of Public Safety. No other law enforcement agency
15 of the state or federal government other than the Department of
16 Public Safety shall have access to any information collected through
17 the use of computerized finger imaging without first obtaining a
18 court order from a judge of competent jurisdiction. Each
19 application for an order authorizing the access to any information
20 collected through the use of computerized finger imaging shall be
21 made in writing upon oath or affirmation to a judge of competent
22 jurisdiction. Each application shall establish probable cause for
23 belief that a named individual is committing, has committed or is
24 about to commit a particular violation of law.

1 D. The Commissioner of Public Safety shall adopt rules as may
2 be necessary to carry out the provisions of this section.

3 SECTION 2. This act shall become effective November 1, 2019.
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