

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 4353

By: Hill

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8                               COMMITTEE SUBSTITUTE

9                   An Act relating to identification cards for inmates;  
10                   amending 47 O.S. 2021, Section 6-105.3, which relates  
11                   to identification cards for Oklahoma residents;  
12                   allowing certified copies of birth certificates with  
13                   consolidated record cards to serve as valid forms of  
14                   photo identification; providing restrictions when  
15                   issuing REAL ID Noncompliant Identification Cards;  
16                   and providing an effective date.

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

18                   SECTION 1.           AMENDATORY           47 O.S. 2021, Section 6-105.3, is  
19 amended to read as follows:

20                   Section 6-105.3 A. In addition to the licenses to operate  
21 motor vehicles, the Department of Public Safety may issue cards to  
22 Oklahoma residents for purposes of identification only. The  
23 identification cards shall be issued, renewed, replaced, canceled  
24 and denied in the same manner as driver licenses in this state. A  
licensee whose record reflects a notation of the person's proof of  
legal presence, verified by the U.S. Department of Homeland

1 Security, or proof of U.S. citizenship, may obtain a REAL ID  
2 Compliant Identification Card or a Noncompliant Identification Card  
3 from a motor license agent or the Department of Public Safety,  
4 regardless of the status of the license held by the licensee.  
5 Provided, the licensee must comply with all REAL ID documentation  
6 requirements to obtain a REAL ID Compliant Identification Card. A  
7 person shall not apply for or possess more than one state-issued or  
8 territory-issued REAL ID Compliant Identification Card pursuant to  
9 the provisions of Section 6-101 of this title.

10 The application for an identification card by any person under  
11 the age of eighteen (18) years shall be signed and verified by a  
12 custodial legal parent or legal guardian, either in person before a  
13 person authorized to administer oaths or electronically if  
14 completing an online application, or a notarized affidavit signed by  
15 a custodial legal parent or legal guardian submitted before a person  
16 authorized to administer oaths by the person under the age of  
17 eighteen (18) years with the application. Except as otherwise  
18 provided in this section, the identification cards shall be valid  
19 for a period of either four (4) years from the month of issuance or  
20 eight (8) 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. 1. The Department of Corrections shall coordinate with the  
24 Department of Public Safety to provide REAL ID Noncompliant

1 Identification Cards to all inmates who do not have a current state-  
2 issued identification card or driver license upon their release from  
3 custody. The identification cards shall be issued, replaced,  
4 canceled and denied in the same manner as driver licenses in this  
5 state.

6 2. ~~If an inmate is unable to provide a valid identification~~  
7 ~~document and no other form of identification is available, the~~ The  
8 Department of Public Safety shall allow the use of a certified copy  
9 of a birth certificate coupled with a Department of Corrections-  
10 issued consolidated record card to serve as a valid form of photo  
11 identification ~~document~~ documentation to obtain a REAL ID  
12 Noncompliant Identification Card.

13 3. REAL ID Noncompliant Identification Cards issued with a  
14 consolidated record card from the Department of Corrections for  
15 inmates shall be valid for a period of four (4) years from the month  
16 of issuance for an allowable fee to be determined by the Department  
17 of Public Safety and are nonrenewable and nontransferable.

18 4. The fee charged for the issuance or replacement of a REAL ID  
19 Noncompliant Identification Card pursuant to this subsection shall  
20 be deposited in the Department of Public Safety Revolving Fund.  
21 Provided, however, REAL ID Noncompliant Identification Cards issued  
22 to individuals required to register pursuant to the Sex Offenders  
23 Registration Act shall only be valid for a period of one (1) year.

1 No person sixty-five (65) years of age or older shall be charged a  
2 fee for a REAL ID Noncompliant Identification Card.

3 5. The Department of Public Safety is authorized to promulgate  
4 rules and procedures to implement the provisions of this subsection.

5 C. No person shall hold more than one state-issued or  
6 territory-issued REAL ID Compliant Driver License or REAL ID  
7 Compliant Identification Card, as defined in subsection G of Section  
8 6-101 of this title. The Department shall not issue a REAL ID  
9 Compliant Identification Card to any applicant who has been  
10 previously issued a REAL ID Compliant Driver License or REAL ID  
11 Compliant Identification Card unless such license or identification  
12 card has been surrendered to the Department by the applicant. The  
13 Department may promulgate rules related to the issuance of  
14 replacement REAL ID Compliant Identification Cards in the event of  
15 loss or theft.

16 D. The fee charged for the issuance or renewal of a REAL ID  
17 Compliant Identification Card shall be Twenty-five Dollars (\$25.00)  
18 for a 4-year card and Fifty Dollars (\$50.00) for an 8-year card.  
19 The fee charged for the issuance or renewal of a REAL ID  
20 Noncompliant Identification Card pursuant to this section shall be  
21 Twenty-five Dollars (\$25.00) for a 4-year card and Fifty Dollars  
22 (\$50.00) for an 8-year card; however, no person sixty-five (65)  
23 years of age or older, or one hundred percent (100%) disabled  
24 veteran described in subsection P of Section 6-101 of this title

1 shall be charged a fee for an identification card. Of each fee  
2 charged pursuant to the provisions of this subsection:

3 1. Seven Dollars (\$7.00) of a 4-year card and Fourteen Dollars  
4 (\$14.00) of an 8-year card shall be apportioned as provided in  
5 Section 1104 of this title;

6 2. Three Dollars (\$3.00) of a 4-year card and Six Dollars  
7 (\$6.00) of an 8-year card shall be credited to the Department of  
8 Public Safety Computer Imaging System Revolving Fund to be used  
9 solely for the purpose of the administration and maintenance of the  
10 computerized imaging system of the Department;

11 3. Ten Dollars (\$10.00) of a 4-year card and Twenty Dollars  
12 (\$20.00) of an 8-year card shall be deposited in the Department of  
13 Public Safety Revolving Fund;

14 4. Three Dollars (\$3.00) of a 4-year card and Six Dollars  
15 (\$6.00) of an 8-year card shall be deposited to the State Public  
16 Safety Fund created in Section 2-147 of this title; and

17 5. Two Dollars (\$2.00) for a 4-year card and Four Dollars  
18 (\$4.00) for an 8-year card of the fee authorized by this subsection  
19 related to the issuance or renewal of an identification card by a  
20 motor license agent that does process approved applications or  
21 renewals for REAL ID Compliant and REAL ID Non-Compliant Driver  
22 Licenses or Identification Cards shall be retained by the motor  
23 license agent.

1 E. The fee charged for replacement of a REAL ID Compliant  
2 Identification Card, or REAL ID Non-Compliant Identification Card,  
3 shall be Twenty-five Dollars (\$25.00); however, no person sixty-five  
4 (65) years of age or older shall be charged a fee for an  
5 identification card replacement. Of each fee charged pursuant to  
6 the provisions of this subsection:

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

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

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

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

17 5. Two Dollars (\$2.00) of the fee authorized by this subsection  
18 related to the replacement of an identification card by a motor  
19 license agent that does process approved applications or renewals  
20 for REAL ID Compliant or REAL ID Non-Compliant Driver Licenses or  
21 Identification Cards shall be retained by the motor license agent.

22 F. The Oklahoma Tax Commission is hereby authorized to  
23 reimburse, from funds available to that agency, each motor license  
24 agent issuing an identification card to a person sixty-five (65)

1 years of age or older, an amount not to exceed One Dollar (\$1.00)  
2 for each card or driver license so issued. The Tax Commission shall  
3 develop procedures for claims for reimbursement.

4 G. Notwithstanding any other provision of law, when a person  
5 makes application for a new identification card, or makes  
6 application to renew an identification card, and the person has been  
7 convicted of, or received a deferred judgment for, any offense  
8 required to register pursuant to the Sex Offenders Registration Act,  
9 the identification card shall be valid for a period of one (1) year  
10 from the month of issuance, but may be renewed yearly during the  
11 time the person is subject to registration on the Sex Offender  
12 Registry. The cost for such identification card shall be the same  
13 as for other identification cards and renewals.

14 H. Nothing in this section requires or authorizes the  
15 Department of Public Safety to issue a REAL ID Noncompliant  
16 Identification Card without the documentation required by the  
17 provisions of paragraph 9 of subsection A of Section 6-103 of this  
18 title.

19 SECTION 2. This act shall become effective November 1, 2022.  
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21 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,  
22 dated 03/03/2022 - DO PASS, As Amended.  
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