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April 4, 2022

ENGROSSED HOUSE
BILL NO. 4353

By: Hill, McDugle and Fugate of
the House

and

Weaver of the Senate

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

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

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

Section 6-105.3 A. In addition to the licenses to operate motor vehicles, the Department of Public Safety may issue cards to Oklahoma residents for purposes of identification only. The identification cards shall be issued, renewed, replaced, canceled 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 Security, or proof of U.S. citizenship, may obtain a REAL ID

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

9 The application for an identification card by any person under
10 the age of eighteen (18) years shall be signed and verified by a
11 custodial legal parent or legal guardian, either in person before a
12 person authorized to administer oaths or electronically if
13 completing an online application, or a notarized affidavit signed by
14 a custodial legal parent or legal guardian submitted before a person
15 authorized to administer oaths by the person under the age of
16 eighteen (18) years with the application. Except as otherwise
17 provided in this section, the identification cards shall be valid
18 for a period of either four (4) years from the month of issuance or
19 eight (8) years from the month of issuance; however, the
20 identification cards issued to persons sixty-five (65) years of age
21 or older shall be valid indefinitely from the month of issuance.

22 B. 1. The Department of Corrections shall coordinate with the
23 Department of Public Safety to provide REAL ID Noncompliant
24 Identification Cards to all inmates who do not have a current state-

1 issued identification card or driver license upon their release from
2 custody. The identification cards shall be issued, replaced,
3 canceled and denied in the same manner as driver licenses in this
4 state.

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

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

17 4. The fee charged for the issuance or replacement of a REAL ID
18 Noncompliant Identification Card pursuant to this subsection shall
19 be deposited in the Department of Public Safety Revolving Fund.
20 Provided, however, REAL ID Noncompliant Identification Cards issued
21 to individuals required to register pursuant to the Sex Offenders
22 Registration Act shall only be valid for a period of one (1) year.
23 No person sixty-five (65) years of age or older shall be charged a
24 fee for a REAL ID Noncompliant Identification Card.

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

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

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

1 1. Seven Dollars (\$7.00) of a 4-year card and Fourteen Dollars
2 (\$14.00) of an 8-year card shall be apportioned as provided in
3 Section 1104 of this title;

4 2. Three Dollars (\$3.00) of a 4-year card and Six Dollars
5 (\$6.00) of an 8-year card shall be credited to the Department of
6 Public Safety Computer Imaging System Revolving Fund to be used
7 solely for the purpose of the administration and maintenance of the
8 computerized imaging system of the Department;

9 3. Ten Dollars (\$10.00) of a 4-year card and Twenty Dollars
10 (\$20.00) of an 8-year card shall be deposited in the Department of
11 Public Safety Revolving Fund;

12 4. Three Dollars (\$3.00) of a 4-year card and Six Dollars
13 (\$6.00) of an 8-year card shall be deposited to the State Public
14 Safety Fund created in Section 2-147 of this title; and

15 5. Two Dollars (\$2.00) for a 4-year card and Four Dollars
16 (\$4.00) for an 8-year card of the fee authorized by this subsection
17 related to the issuance or renewal of an identification card by a
18 motor license agent that does process approved applications or
19 renewals for REAL ID Compliant and REAL ID Non-Compliant Driver
20 Licenses or Identification Cards shall be retained by the motor
21 license agent.

22 E. The fee charged for replacement of a REAL ID Compliant
23 Identification Card, or REAL ID Non-Compliant Identification Card,
24 shall be Twenty-five Dollars (\$25.00); however, no person sixty-five

1 (65) years of age or older shall be charged a fee for an
2 identification card replacement. Of each fee charged pursuant to
3 the provisions of this subsection:

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

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

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

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

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

19 F. The Oklahoma Tax Commission is hereby authorized to
20 reimburse, from funds available to that agency, each motor license
21 agent issuing an identification card to a person sixty-five (65)
22 years of age or older, an amount not to exceed One Dollar (\$1.00)
23 for each card or driver license so issued. The Tax Commission shall
24 develop procedures for claims for reimbursement.

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

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

16 SECTION 2. This act shall become effective November 1, 2022.

17 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
18 April 4, 2022 - DO PASS
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