

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1310

By: Stark of the House

and

**Weaver** of the Senate

7  
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10                                   COMMITTEE SUBSTITUTE

11                   An Act relating to identification cards; creating the  
12                   Inmate ID Act of 2020; requiring certain agency  
13                   coordination to issue certain identification cards to  
14                   offenders upon release; requiring the gathering of  
15                   certain information; excepting certain individuals  
16                   from requirement; allowing the use of certain funds;  
17                   authorizing the promulgation of rules; amending 47  
18                   O.S. 2011, Section 6-105.3, as last amended by  
19                   Section 2, Chapter 1, O.S.L. 2017 (47 O.S. Supp.  
20                   2019, Section 6-105.3), which relates to the issuance  
21                   of identification cards; requiring certain agency  
22                   coordination; requiring identification cards be  
23                   issued, canceled, revoked, denied and replaced in  
24                   same manner as driver licenses; allowing for use of  
                 certain identification document; providing for period  
                 of validity; providing for issuance fees; providing  
                 for nonrenewability; authorizing the promulgation of  
                 rules; providing for codification; providing for  
                 noncodification; and providing an effective date.

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

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

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

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

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

1 authorized to promulgate rules and procedures to implement the  
2 provisions of this section. The provisions of this section shall  
3 apply only to offenders who may receive a state-issued  
4 identification card pursuant to Section 1550.42 of Title 21 of the  
5 Oklahoma Statutes.

6 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-105.3, as  
7 last amended by Section 2, Chapter 1, O.S.L. 2017 (47 O.S. Supp.  
8 2019, Section 6-105.3), is amended to read as follows:

9 Section 6-105.3 A. In addition to the licenses to operate  
10 motor vehicles, the Department of Public Safety may issue cards to  
11 Oklahoma residents for purposes of identification only. The  
12 identification cards shall be issued, renewed, replaced, canceled  
13 and denied in the same manner as driver licenses in this state. The  
14 application for an identification card by any person under the age  
15 of eighteen (18) years shall be signed and verified by a custodial  
16 legal parent or legal guardian, either in person before a person  
17 authorized to administer oaths or electronically if completing an  
18 online application, or a notarized affidavit signed by a custodial  
19 legal parent or legal guardian submitted before a person authorized  
20 to administer oaths by the person under the age of eighteen (18)  
21 years with the application. Except as otherwise provided in this  
22 section, the identification cards shall be valid for a period of  
23 four (4) years from the month of issuance; however, the  
24

1 identification cards issued to persons sixty-five (65) years of age  
2 or older shall be valid indefinitely from the month of issuance.

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

19 C. No person shall hold more than one state-issued or  
20 territory-issued REAL ID Compliant Driver License or REAL ID  
21 Compliant Identification Card, as defined in subsection G of Section  
22 6-101 of this title. The Department shall not issue a REAL ID  
23 Compliant Identification Card to any applicant who has been  
24 previously issued a REAL ID Compliant Driver License or REAL ID

1 Compliant Identification Card unless such license or identification  
2 card has been surrendered to the Department by the applicant. The  
3 Department may promulgate rules related to the issuance of  
4 replacement REAL ID Compliant Identification Cards in the event of  
5 loss or theft.

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

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

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

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

22 4. Three Dollars (\$3.00) shall be deposited to the State Public  
23 Safety Fund created in Section 2-147 of this title; and  
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1           5.    a.    Two Dollars (\$2.00) of the fee authorized by this  
2                    subsection related to the issuance, renewal or  
3                    replacement of an identification card by a motor  
4                    license agent that does not process approved  
5                    applications or renewals for REAL ID Compliant Driver  
6                    Licenses or Identification Cards shall be deposited,  
7                    in addition to the amount authorized by paragraph 4 of  
8                    this subsection, to the State Public Safety Fund  
9                    created in Section 2-147 of this title, or

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

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

23           ~~E.~~ F.    When a person makes application for a new identification  
24           card, or makes application to renew an identification card, and the

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

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

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10 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/20/2020 -  
11 DO PASS, As Amended and Coauthored.

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