

1 ENGROSSED HOUSE
2 BILL NO. 1310

By: Stark, Russ, Ranson,
3 Talley, O'Donnell, Mize,
4 Crosswhite Hader, Townley
5 and Hill of the House

6 and

7 Weaver of the Senate

8 [identification cards - creating the Inmate ID Act
9 of 2020 - requiring identification cards be issued,
10 canceled, revoked, denied and replaced in same
11 manner as driver licenses - effective date]

12
13
14
15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

23 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, within nine (9)
3 months prior to their release. Within nine (9) months prior to an
4 offender's release from custody, the Department of Corrections shall
5 identify those offenders who do not have a current form of state
6 identification and begin the process of gathering the documentation
7 required for the issuance of a REAL ID Noncompliant Identification
8 Card pursuant to Section 6-105.3 of Title 47 of the Oklahoma
9 Statutes. In the event an offender has any valid form of a state-
10 issued identification card or driver license, the offender may avail
11 himself or herself of the provisions of this section. The
12 Department of Corrections may utilize any funds available to fund
13 the purchase of the aforementioned identification cards, including,
14 but not limited to, existing Department of Corrections funds,
15 offender funds and donations. The Department of Corrections is
16 authorized to promulgate rules and procedures to implement the
17 provisions of this section. The provisions of this section shall
18 apply only to offenders who may receive a state-issued
19 identification card pursuant to Section 1550.42 of Title 21 of the
20 Oklahoma Statutes.

21 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-105.3, as
22 last amended by Section 2, Chapter 1, O.S.L. 2017 (47 O.S. Supp.
23 2019, Section 6-105.3), is amended to read as follows:
24

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

18 B. The Department of Corrections shall coordinate with the
19 Department of Public Safety to provide REAL ID Noncompliant
20 Identification Cards to all offenders, who do not have a current
21 state-issued identification card or driver license, upon their
22 release. The identification cards shall be issued, replaced,
23 canceled and denied in the same manner as driver licenses in this
24 state. However, if no other form of identification is available,

1 the Department of Public Safety shall allow the use of a Department-
2 of-Corrections-issued consolidated record card to serve as a valid
3 identification document to obtain a REAL ID Noncompliant
4 Identification Card. The REAL ID Noncompliant Identification Cards
5 shall be valid for a period of two (2) years from the month of
6 issuance for a fee of Twelve Dollars and fifty cents (\$12.50) and
7 are nonrenewable. The Department of Public Safety is authorized to
8 promulgate rules and procedures to implement the provisions of this
9 subsection.

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

21 ~~C.~~ D. The fee charged for the issuance, renewal, or replacement
22 of a REAL ID Compliant Identification Card shall be Twenty-five
23 Dollars (\$25.00). The fee charged for the issuance, renewal or
24 replacement of a REAL ID Noncompliant Identification Card pursuant

1 to this section shall be Twenty-five Dollars (\$25.00); however, no
2 person sixty-five (65) years of age or older shall be charged a fee
3 for an identification card. Of each fee charged pursuant to the
4 provisions of this subsection:

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

7 2. Three Dollars (\$3.00) 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) shall be deposited in the Department of
12 Public Safety Revolving Fund;

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

15 5. a. Two Dollars (\$2.00) of the fee authorized by this
16 subsection related to the issuance, renewal or
17 replacement of an identification card by a motor
18 license agent that does not process approved
19 applications or renewals for REAL ID Compliant Driver
20 Licenses or Identification Cards shall be deposited,
21 in addition to the amount authorized by paragraph 4 of
22 this subsection, to the State Public Safety Fund
23 created in Section 2-147 of this title, or
24

1 b. 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 process approved applications
5 or renewals for REAL ID Compliant Driver Licenses or
6 Identification Cards shall be retained by the motor
7 license agent.

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

14 ~~E.~~ F. When a person makes application for a new identification
15 card, or makes application to renew an identification card, and the
16 person has been convicted of, or received a deferred judgment for,
17 any offense required to register pursuant to the Sex Offenders
18 Registration Act, the identification card shall be valid for a
19 period of one (1) year from the month of issuance, but may be
20 renewed yearly during the time the person is subject to registration
21 on the Sex Offender Registry. The cost for such identification card
22 shall be the same as for other identification cards and renewals.

23 SECTION 4. This act shall become effective November 1, 2020.
24

1 Passed the House of Representatives the 11th day of March, 2020.

2
3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2020.

6
7
8 _____
9 Presiding Officer of the Senate