

# An Act

ENROLLED 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.

SUBJECT: Identification cards for inmates

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 Compliant Identification Card or a Noncompliant Identification Card from a motor license agent or the Department of Public Safety, regardless of the status of the license held by the licensee. Provided, the licensee must comply with all REAL ID documentation requirements to obtain a REAL ID Compliant Identification Card. A

person shall not apply for or possess more than one state-issued or territory-issued REAL ID Compliant Identification Card pursuant to the provisions of Section 6-101 of this title.

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

B. 1. The Department of Corrections shall coordinate with the Department of Public Safety to provide REAL ID Noncompliant Identification Cards to all inmates who do not have a current state-issued identification card or driver license upon their release from custody. The identification cards shall be issued, replaced, canceled and denied in the same manner as driver licenses in this state.

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

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

4. The fee charged for the issuance or replacement of a REAL ID Noncompliant Identification Card pursuant to this subsection shall be deposited in the Department of Public Safety Revolving Fund. Provided, however, REAL ID Noncompliant Identification Cards issued to individuals required to register pursuant to the Sex Offenders

Registration Act shall only be valid for a period of one (1) year. No person sixty-five (65) years of age or older shall be charged a fee for a REAL ID Noncompliant Identification Card.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Passed the House of Representatives the 23rd day of March, 2022.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 20th day of April, 2022.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
By: \_\_\_\_\_