

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 156

By: Floyd

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5  
6 AS INTRODUCED

7 An Act relating to fingerprints; amending 47 O.S.  
8 2011, Section 6-110.2, as amended by Section 2,  
9 Chapter 96, O.S.L. 2015 (47 O.S. Supp. 2016, Section  
10 6-110.2), which relates to computerized finger  
11 imaging system; modifying agencies who have certain  
12 access; and providing an effective date.

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

14 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-110.2, as  
15 amended by Section 2, Chapter 96, O.S.L. 2015 (47 O.S. Supp. 2016,  
16 Section 6-110.2), is amended to read as follows:

17 Section 6-110.2. A. The Department of Public Safety shall  
18 implement a procedure for computerized finger imaging by means of an  
19 inkless finger image scanning device and shall require every  
20 applicant for an original, renewal or replacement driver license or  
21 identification card to submit to finger imaging for the purposes of  
22 proof of identity and to ensure the security of the driver license  
23 or identification card issued to the applicant. If the finger image  
24 of a person over sixty-five (65) years of age cannot be scanned and  
the issuing agent can personally verify the individual's identity

1 with alternative identification the finger imaging shall be  
2 overridden. Means must be provided to trace to the agent who  
3 authorized the override.

4 B. No unemancipated person under eighteen (18) years of age  
5 shall be issued a driver license or identification card by the  
6 Department unless an authorization form, prescribed and furnished by  
7 the Department, or notarized affidavit authorizing the finger  
8 imaging of the person and signed by the legal custodial parent,  
9 legal guardian, or legal custodian of the person, is in the  
10 possession of the Department.

11 C. For the purpose of aiding in positively identifying deceased  
12 individuals, the Oklahoma State Bureau of Investigation shall have  
13 access to the computerized finger imaging of the Department of  
14 Public Safety. No other law enforcement agency of the state or  
15 federal government other than the Department of Public Safety shall  
16 have access to any information collected through the use of  
17 computerized finger imaging without first obtaining a court order  
18 from a judge of competent jurisdiction. Each application for an  
19 order authorizing the access to any information collected through  
20 the use of computerized finger imaging shall be made in writing upon  
21 oath or affirmation to a judge of competent jurisdiction. Each  
22 application shall establish probable cause for belief that a named  
23 individual is committing, has committed or is about to commit a  
24 particular violation of law.

1 D. The Commissioner of Public Safety shall adopt rules as may  
2 be necessary to carry out the provisions of this section.

3 SECTION 2. This act shall become effective November 1, 2017.  
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