

1 **SENATE FLOOR VERSION**

February 25, 2019

2 **AS AMENDED**

3 SENATE BILL NO. 960

By: Shaw

4
5
6 **[fingerprints - computerized finger imaging system -**
7 **access - effective date]**
8

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

10 SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-110.2, as
11 amended by Section 2, Chapter 96, O.S.L. 2015 (47 O.S. Supp. 2018,
12 Section 6-110.2), is amended to read as follows:

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

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

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

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

SECTION 2. This act shall become effective November 1, 2019.

COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
February 25, 2019 - DO PASS AS AMENDED

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