

1 **SENATE FLOOR VERSION**

2 April 9, 2019

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 1014

By: Bush of the House

and

Shaw of the Senate

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7
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9 COMMITTEE SUBSTITUTE

10 [fingerprints - computerized finger imaging system -
11 access - effective date]
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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. 2018,
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

1 the issuing agent can personally verify the individual's identity
2 with alternative identification, the finger imaging shall be
3 overridden. Means must be provided to trace to the agent who
4 authorized the override.

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

12 C. No law enforcement agency of the state or federal government
13 other than the Department of Public Safety shall have access to any
14 information collected through the use of computerized finger imaging
15 without first obtaining a court order from a judge of competent
16 jurisdiction; provided, however, the Oklahoma State Bureau of
17 Investigation shall have access to such imaging for the purpose of
18 identifying a person who is deceased, missing or endangered. Each
19 application for an order authorizing the access to any information
20 collected through the use of computerized finger imaging shall be
21 made in writing upon oath or affirmation to a judge of competent
22 jurisdiction. Each application shall establish probable cause for
23 belief that a named individual is committing, has committed or is
24 about to commit a 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, 2019.

4 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
5 April 9, 2019 - DO PASS AS AMENDED
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