

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 1679

By: Stark and Hill

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8 COMMITTEE SUBSTITUTE

9 An Act relating to inmates; creating the Sarah Stitt
10 Act; directing the Department of Corrections to
assist inmates with obtaining state-issued
11 identification cards and employment-related
documents; directing the Department of Corrections to
12 identify inmates who have current forms of
identification; requiring the gathering of specific
13 documents; authorizing the utilization of certain
funds to pay for identification cards; establishing
14 limitation; directing the Department of Corrections
to provide inmates with certain employment-related
15 documentation; providing for the promulgation of
certain rules and procedures; amending 47 O.S. 2011,
16 Section 6-105.3, as last amended by Section 2,
Chapter 1, O.S.L. 2017 (47 O.S. Supp. 2020, Section
17 6-105.3), which relates to the issuance of
identification cards; directing the Department of
18 Corrections to coordinate with the Department of
Public Safety on issuing identification cards;
19 requiring identification cards to be issued,
canceled, revoked, denied and replaced in the same
20 manner as driver licenses; authorizing the use of
certain document as valid identification; providing
21 for period of validity; providing for an allowable
fee; reducing period of validity for identification
22 cards issued to certain persons; providing for the
issuance of identification cards to certain persons
23 at no cost; prohibiting the renewal of identification
cards; directing the deposit of fee into certain
24 revolving fund; authorizing the promulgation of rules

1 and procedures; providing for codification; providing
2 for noncodification; and providing an effective date.

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

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

7 This act shall be known and may be cited as the "Sarah Stitt
8 Act".

9 SECTION 2. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 513.3 of Title 57, unless there
11 is created a duplication in numbering, reads as follows:

12 A. When any inmate shall be discharged from an institution of
13 the Department of Corrections and the intended residence designated
14 by the inmate is within this state, the Department of Corrections
15 shall provide the inmate with relevant documentation to assist the
16 inmate in obtaining post-release employment and shall coordinate
17 with the Department of Public Safety to provide a REAL ID
18 Noncompliant Identification Card if the inmate does not have a
19 current state-issued identification card or driver license.

20 B. 1. Within nine (9) months prior to the release of an inmate
21 from custody, the Department of Corrections shall identify whether
22 the inmate has a current form of state identification and begin the
23 process of gathering the documentation required for the issuance of
24 a REAL ID Noncompliant Identification Card pursuant to Section 6-

1 105.3 of Title 47 of the Oklahoma Statutes. If an inmate has any
2 valid form of a state-issued identification card or driver license,
3 the inmate may avail himself or herself of the provisions of this
4 section.

5 2. The Department of Corrections may utilize any funds
6 available to cover the costs associated with the purchase of a REAL
7 ID Noncompliant Identification Card, including, but not limited to,
8 inmate trust funds, existing funds of the Department of Corrections
9 and donations.

10 3. The provisions of this section shall apply only to inmates
11 who may receive a state-issued identification card pursuant to
12 Section 1550.42 of Title 21 of the Oklahoma Statutes.

13 C. For purposes of assisting an inmate in obtaining post-
14 release employment, the Department of Corrections shall provide the
15 inmate with the following documentation:

16 1. A copy of the vocational training record of the inmate, if
17 applicable;

18 2. A copy of the work record of the inmate, if applicable;

19 3. A certified copy of the birth certificate of the inmate, if
20 obtainable;

21 4. A Social Security card or a replacement Social Security card
22 of the inmate, if obtainable;

23 5. A resume that includes any trade learned by the inmate and
24 the proficiency at that trade by the inmate; and

1 6. Documentation that the inmate has completed a practice job
2 interview.

3 In addition, the Department shall notify the inmate if he or she
4 is eligible to apply for a license from a state entity charged with
5 oversight of an occupational license or certification.

6 D. The Department of Corrections is authorized to promulgate
7 rules and procedures to implement the provisions of this section.

8 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-105.3, as
9 last amended by Section 2, Chapter 1, O.S.L. 2017 (47 O.S. Supp.
10 2020, Section 6-105.3), is amended to read as follows:

11 Section 6-105.3 A. In addition to the licenses to operate
12 motor vehicles, the Department of Public Safety may issue cards to
13 Oklahoma residents for purposes of identification only. The
14 identification cards shall be issued, renewed, replaced, canceled
15 and denied in the same manner as driver licenses in this state. The
16 application for an identification card by any person under the age
17 of eighteen (18) years shall be signed and verified by a custodial
18 legal parent or legal guardian, either in person before a person
19 authorized to administer oaths or electronically if completing an
20 online application, or a notarized affidavit signed by a custodial
21 legal parent or legal guardian submitted before a person authorized
22 to administer oaths by the person under the age of eighteen (18)
23 years with the application. Except as otherwise provided in this
24 section, the identification cards shall be valid for a period of

1 four (4) years from the month of issuance; however, the
2 identification cards issued to persons sixty-five (65) years of age
3 or older shall be valid indefinitely from the month of issuance.

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

11 2. If an inmate is unable to provide a valid identification
12 document and no other form of identification is available, the
13 Department of Public Safety shall allow the use of a Department of
14 Corrections-issued consolidated record card to serve as a valid
15 identification document to obtain a REAL ID Noncompliant
16 Identification Card.

17 3. REAL ID Noncompliant Identification Cards for inmates shall
18 be valid for a period of four (4) years from the month of issuance
19 for an allowable fee to be determined by the Department of Public
20 Safety and are nonrenewable. The fee charged for the issuance or
21 replacement of a REAL ID Noncompliant Identification Card pursuant
22 to this subsection shall be deposited in the Department of Public
23 Safety Revolving Fund. Provided, however, REAL ID Noncompliant
24 Identification Cards issued to individuals required to register

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

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

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

18 ~~C.~~ D. The fee charged for the issuance, renewal, or replacement
19 of a REAL ID Compliant Identification Card shall be Twenty-five
20 Dollars (\$25.00). The fee charged for the issuance, renewal or
21 replacement of a REAL ID Noncompliant Identification Card pursuant
22 to this section shall be Twenty-five Dollars (\$25.00); however, no
23 person sixty-five (65) years of age or older shall be charged a fee
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1 for an identification card. Of each fee charged pursuant to the
2 provisions of this subsection:

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

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

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

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

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

22 b. Two Dollars (\$2.00) of the fee authorized by this
23 subsection related to the issuance, renewal or
24 replacement of an identification card by a motor

1 license agent that does process approved applications
2 or renewals for REAL ID Compliant Driver Licenses or
3 Identification Cards shall be retained by the motor
4 license agent.

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

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

20 SECTION 4. This act shall become effective November 1, 2021.
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