

1 ENGROSSED HOUSE
2 BILL NO. 1679

By: Stark, Hill, Phillips,
Mize, Talley, Pittman,
Humphrey and Provenzano of
the House

4 and

5 Weaver of the Senate

6
7
8 An Act relating to inmates; creating the Sarah Stitt
9 Act; directing the Department of Corrections to
10 assist inmates with obtaining state-issued
11 identification cards and employment-related
12 documents; directing the Department of Corrections to
13 identify inmates who have current forms of
14 identification; requiring the gathering of specific
15 documents; authorizing the utilization of funds for
16 certain purposes and for purchasing identification
17 cards; establishing limitation; directing the
18 Department of Corrections to provide inmates with
19 certain employment-related documentation; providing
20 for the promulgation of certain rules and procedures;
21 amending 47 O.S. 2011, Section 6-105.3, as last
22 amended by Section 2, Chapter 1, O.S.L. 2017 (47 O.S.
23 Supp. 2020, Section 6-105.3), which relates to the
24 issuance of identification cards; directing the
Department of Corrections to coordinate with the
Department of Public Safety on issuing identification
cards; requiring identification cards to be issued,
canceled, revoked, denied and replaced in the same
manner as driver licenses; authorizing the use of
certain document as valid identification; providing
for period of validity; providing for an allowable
fee; reducing period of validity for identification
cards issued to certain persons; providing for the
issuance of identification cards to certain persons
at no cost; prohibiting the renewal of identification
cards; directing the deposit of fee into certain
revolving fund; authorizing the promulgation of rules
and procedures; providing for codification; providing
for noncodification; and providing an effective date.

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

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

4 This act shall be known and may be cited as the "Sarah Stitt
5 Act".

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

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

17 B. 1. Within nine (9) months prior to the release of an inmate
18 from custody, the Department of Corrections shall identify whether
19 the inmate has a current form of state identification and begin the
20 process of gathering the documentation required for the issuance of
21 a REAL ID Noncompliant Identification Card pursuant to Section 6-
22 105.3 of Title 47 of the Oklahoma Statutes. If an inmate has any
23 valid form of a state-issued identification card or driver license,
24

1 the inmate may avail himself or herself of the provisions of this
2 section.

3 2. The Department of Corrections may utilize any funds
4 available to cover the costs associated with the implementation and
5 administration of this section and the purchase of REAL ID
6 Noncompliant Identification Cards, including, but not limited to,
7 inmate trust funds, existing funds of the Department of Corrections
8 and donations.

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

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

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

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

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

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

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

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 issued with a
18 consolidated record card from the Department of Corrections for
19 inmates shall be valid for a period of four (4) years from the month
20 of issuance for an allowable fee to be determined by the Department
21 of Public Safety and are nonrenewable and nontransferable.

22 4. The fee charged for the issuance or replacement of a REAL ID
23 Noncompliant Identification Card pursuant to this subsection shall
24 be deposited in the Department of Public Safety Revolving Fund.

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

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

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

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

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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1 Passed the House of Representatives the 10th day of March, 2021.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2021.

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9 Presiding Officer of the Senate