

An Act

ENROLLED HOUSE
BILL NO. 1679

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

and

Weaver and Bergstrom of the
Senate

An Act relating to inmates; creating the Sarah Stitt Act; directing the Department of Corrections to assist inmates with obtaining state-issued identification cards and employment-related documents; directing the Department of Corrections to identify inmates who have current forms of identification; requiring the gathering of specific documents; authorizing the utilization of funds for certain purposes and for purchasing identification cards; establishing limitation; directing the Department of Corrections to provide inmates with certain employment-related documentation; providing for the promulgation of certain rules and procedures; amending 47 O.S. 2011, Section 6-105.3, as last amended by Section 2, Chapter 1, O.S.L. 2017 (47 O.S. Supp. 2020, Section 6-105.3), which relates to the 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.

SUBJECT: Inmates

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 6-105.3 A. In addition to the licenses to operate motor vehicles, the Department of Public Safety may issue cards to Oklahoma residents for purposes of identification only. The identification cards shall be issued, renewed, replaced, canceled and denied in the same manner as driver licenses in this state. The application for an identification card by any person under the age of eighteen (18) years shall be signed and verified by a custodial legal parent or legal guardian, either in person before a person authorized to administer oaths or electronically if completing an

online application, or a notarized affidavit signed by a custodial legal parent or legal guardian submitted before a person authorized to administer oaths by the person under the age of eighteen (18) years with the application. Except as otherwise provided in this section, the identification cards shall be valid for a period of four (4) years from the month of issuance; however, the identification cards issued to persons sixty-five (65) years of age or older shall be valid indefinitely from the month of issuance.

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

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

3. REAL ID Noncompliant Identification Cards issued with a consolidated record card from the Department of Corrections for inmates shall be valid for a period of four (4) years from the month of issuance for an allowable fee to be determined by the Department of Public Safety and are nonrenewable and nontransferable.

4. The fee charged for the issuance or replacement of a REAL ID Noncompliant Identification Card pursuant to this subsection shall be deposited in the Department of Public Safety Revolving Fund. Provided, however, REAL ID Noncompliant Identification Cards issued to individuals required to register pursuant to the Sex Offenders Registration Act shall only be valid for a period of one (1) year. No person sixty-five (65) years of age or older shall be charged a fee for a REAL ID Noncompliant Identification Card.

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

C. No person shall hold more than one state-issued or territory-issued REAL ID Compliant Driver License or REAL ID Compliant Identification Card, as defined in subsection G of Section

6-101 of this title. The Department shall not issue a REAL ID Compliant Identification Card to any applicant who has been previously issued a REAL ID Compliant Driver License or REAL ID Compliant Identification Card unless such license or identification card has been surrendered to the Department by the applicant. The Department may promulgate rules related to the issuance of replacement REAL ID Compliant Identification Cards in the event of loss or theft.

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

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

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

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

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

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

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

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

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

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

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

Presiding Officer of the House
of Representatives

Passed the Senate the 13th day of April, 2021.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____