

1 **SENATE FLOOR VERSION**

2 March 31, 2021

3 ENGROSSED HOUSE
4 BILL NO. 1679

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

5
6 and

7 Weaver and Bergstrom of the
8 Senate

9
10
11 An Act relating to inmates; creating the Sarah Stitt
12 Act; directing the Department of Corrections to
13 assist inmates with obtaining state-issued
14 identification cards and employment-related
15 documents; directing the Department of Corrections to
16 identify inmates who have current forms of
17 identification; requiring the gathering of specific
18 documents; authorizing the utilization of funds for
19 certain purposes and for purchasing identification
20 cards; establishing limitation; directing the
21 Department of Corrections to provide inmates with
22 certain employment-related documentation; providing
23 for the promulgation of certain rules and procedures;
24 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

1 at no cost; prohibiting the renewal of identification
2 cards; directing the deposit of fee into certain
3 revolving fund; authorizing the promulgation of rules
4 and procedures; providing for codification; providing
5 for noncodification; and providing an effective date.
6

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

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

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

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

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

23 B. 1. Within nine (9) months prior to the release of an inmate
24 from custody, the Department of Corrections shall identify whether

1 the inmate has a current form of state identification and begin the
2 process of gathering the documentation required for the issuance of
3 a REAL ID Noncompliant Identification Card pursuant to Section 6-
4 105.3 of Title 47 of the Oklahoma Statutes. If an inmate has any
5 valid form of a state-issued identification card or driver license,
6 the inmate may avail himself or herself of the provisions of this
7 section.

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

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

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

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

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

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

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

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

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

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

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

12 SECTION 3. AMENDATORY 47 O.S. 2011, Section 6-105.3, as
13 last amended by Section 2, Chapter 1, O.S.L. 2017 (47 O.S. Supp.
14 2020, Section 6-105.3), is amended to read as follows:

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

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

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

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

21 3. REAL ID Noncompliant Identification Cards issued with a
22 consolidated record card from the Department of Corrections for
23 inmates shall be valid for a period of four (4) years from the month
24

1 of issuance for an allowable fee to be determined by the Department
2 of Public Safety and are nonrenewable and nontransferable.

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

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

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

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

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

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

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

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

19 5. a. Two Dollars (\$2.00) of the fee authorized by this
20 subsection related to the issuance, renewal or
21 replacement of an identification card by a motor
22 license agent that does not process approved
23 applications or renewals for REAL ID Compliant Driver
24 Licenses or Identification Cards shall be deposited,

1 in addition to the amount authorized by paragraph 4 of
2 this subsection, to the State Public Safety Fund
3 created in Section 2-147 of this title, or

4 b. Two Dollars (\$2.00) of the fee authorized by this
5 subsection related to the issuance, renewal or
6 replacement of an identification card by a motor
7 license agent that does process approved applications
8 or renewals for REAL ID Compliant Driver Licenses or
9 Identification Cards shall be retained by the motor
10 license agent.

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

17 ~~E.~~ F. When a person makes application for a new identification
18 card, or makes application to renew an identification card, and the
19 person has been convicted of, or received a deferred judgment for,
20 any offense required to register pursuant to the Sex Offenders
21 Registration Act, the identification card shall be valid for a
22 period of one (1) year from the month of issuance, but may be
23 renewed yearly during the time the person is subject to registration
24

1 on the Sex Offender Registry. The cost for such identification card
2 shall be the same as for other identification cards and renewals.

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

4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
5 March 31, 2021 - DO PASS
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