

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1679

By: Stark and Hill

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5
6 AS INTRODUCED

7 An Act relating to inmates; directing the Department
8 of Corrections to assist inmates with obtaining
9 state-issued identification cards and employment-
10 related documents; directing the Department of
11 Corrections to identify inmates who have current
12 forms of identification; requiring the gathering of
13 specific documents; authorizing the utilization of
14 certain funds to pay for identification cards;
15 establishing limitation; directing the Department of
16 Corrections to provide inmates with certain
17 employment-related documentation; providing for the
18 promulgation of certain rules and procedures;
19 amending 47 O.S. 2011, Section 6-105.3, as last
20 amended by Section 2, Chapter 1, O.S.L. 2017 (47 O.S.
21 Supp. 2020, Section 6-105.3), which relates to the
22 issuance of identification cards; directing the
23 Department of Corrections to coordinate with the
24 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; establishing fee; 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; and providing an
effective date.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 513.3 of Title 57, unless there
3 is created a duplication in numbering, reads as follows:

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

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

21 2. The Department of Corrections may utilize any funds
22 available to cover the costs associated with the purchase of a REAL
23 ID Noncompliant Identification Card, including, but not limited to,
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1 inmate trust funds, existing funds of the Department of Corrections
2 and donations.

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

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

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

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

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

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

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

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

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

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

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

4 Section 6-105.3 A. In addition to the licenses to operate
5 motor vehicles, the Department of Public Safety may issue cards to
6 Oklahoma residents for purposes of identification only. The
7 identification cards shall be issued, renewed, replaced, canceled
8 and denied in the same manner as driver licenses in this state. The
9 application for an identification card by any person under the age
10 of eighteen (18) years shall be signed and verified by a custodial
11 legal parent or legal guardian, either in person before a person
12 authorized to administer oaths or electronically if completing an
13 online application, or a notarized affidavit signed by a custodial
14 legal parent or legal guardian submitted before a person authorized
15 to administer oaths by the person under the age of eighteen (18)
16 years with the application. Except as otherwise provided in this
17 section, the identification cards shall be valid for a period of
18 four (4) years from the month of issuance; however, the
19 identification cards issued to persons sixty-five (65) years of age
20 or older shall be valid indefinitely from the month of issuance.

21 B. 1. The Department of Corrections shall coordinate with the
22 Department of Public Safety to provide REAL ID Noncompliant
23 Identification Cards to all inmates who do not have a current state-
24 issued identification card or driver license upon their release.

1 The identification cards shall be issued, replaced, canceled and
2 denied in the same manner as driver licenses in this state.

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

9 3. REAL ID Noncompliant Identification Cards for inmates shall
10 be valid for a period of two (2) years from the month of issuance
11 for a fee of Twelve Dollars and fifty cents (\$12.50) and are
12 nonrenewable. The fee charged for the issuance or replacement of a
13 REAL ID Noncompliant Identification Card pursuant to this subsection
14 shall be deposited in the Department of Public Safety Revolving
15 Fund.

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

18 C. No person shall hold more than one state-issued or
19 territory-issued REAL ID Compliant Driver License or REAL ID
20 Compliant Identification Card, as defined in subsection G of Section
21 6-101 of this title. The Department shall not issue a REAL ID
22 Compliant Identification Card to any applicant who has been
23 previously issued a REAL ID Compliant Driver License or REAL ID
24 Compliant Identification Card unless such license or identification

1 card has been surrendered to the Department by the applicant. The
2 Department may promulgate rules related to the issuance of
3 replacement REAL ID Compliant Identification Cards in the event of
4 loss or theft.

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

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

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

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

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

23 5. a. Two Dollars (\$2.00) of the fee authorized by this
24 subsection related to the issuance, renewal or

1 replacement of an identification card by a motor
2 license agent that does not process approved
3 applications or renewals for REAL ID Compliant Driver
4 Licenses or Identification Cards shall be deposited,
5 in addition to the amount authorized by paragraph 4 of
6 this subsection, to the State Public Safety Fund
7 created in Section 2-147 of this title, or

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

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

21 ~~E.~~ F. When a person makes application for a new identification
22 card, or makes application to renew an identification card, and the
23 person has been convicted of, or received a deferred judgment for,
24 any offense required to register pursuant to the Sex Offenders

1 Registration Act, the identification card shall be valid for a
2 period of one (1) year from the month of issuance, but may be
3 renewed yearly during the time the person is subject to registration
4 on the Sex Offender Registry. The cost for such identification card
5 shall be the same as for other identification cards and renewals.

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

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8 58-1-5729 GRS 12/10/20

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