

An Act

ENROLLED HOUSE
BILL NO. 1014

By: Bush of the House

and

Shaw of the Senate

An Act relating to fingerprints; amending 47 O.S. 2011, Section 6-110.2, as amended by Section 2, Chapter 96, O.S.L. 2015 (47 O.S. Supp. 2018, Section 6-110.2), which relates to computerized finger imaging system; modifying agencies who have certain access; and providing an effective date.

SUBJECT: Finger imaging

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 6-110.2, as amended by Section 2, Chapter 96, O.S.L. 2015 (47 O.S. Supp. 2018, Section 6-110.2), is amended to read as follows:

Section 6-110.2 A. The Department of Public Safety shall implement a procedure for computerized finger imaging by means of an inkless finger image scanning device and shall require every applicant for an original, renewal or replacement driver license or identification card to submit to finger imaging for the purposes of proof of identity and to ensure the security of the driver license or identification card issued to the applicant. If the finger image of a person over sixty-five (65) years of age cannot be scanned and the issuing agent can personally verify the individual's identity with alternative identification, the finger imaging shall be overridden. Means must be provided to trace to the agent who authorized the override.

B. No unemancipated person under eighteen (18) years of age shall be issued a driver license or identification card by the

Department unless an authorization form, prescribed and furnished by the Department, or notarized affidavit authorizing the finger imaging of the person and signed by the legal custodial parent, legal guardian, or legal custodian of the person, is in the possession of the Department.

C. No law enforcement agency of the state or federal government other than the Department of Public Safety shall have access to any information collected through the use of computerized finger imaging without first obtaining a court order from a judge of competent jurisdiction; provided, however, the Oklahoma State Bureau of Investigation shall have access to such imaging for the purpose of identifying a person who is deceased, missing or endangered. Each application for an order authorizing the access to any information collected through the use of computerized finger imaging shall be made in writing upon oath or affirmation to a judge of competent jurisdiction. Each application shall establish probable cause for belief that a named individual is committing, has committed or is about to commit a particular violation of law.

D. The Commissioner of Public Safety shall adopt rules as may be necessary to carry out the provisions of this section.

SECTION 2. This act shall become effective November 1, 2019.

Passed the House of Representatives the 9th day of May, 2019.

Presiding Officer of the House
of Representatives

Passed the Senate the 17th day of April, 2019.

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: _____