

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1566

By: Stark

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5
6 AS INTRODUCED

7 An Act relating to inmates; amending 47 O.S. 2021,
8 Section 6-105.3, as amended by Section 44, Chapter
9 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 6-
10 105.3), which relates to the issuance of driver
11 licenses; directing the Department of Corrections to
12 coordinate with Service Oklahoma on issuing REAL ID
13 Compliant identification cards and driver licenses;
14 requiring driver licenses to be issued, canceled,
15 revoked, denied and replaced in the same manner as
16 other driver licenses; authorizing the use of certain
17 document as valid identification; providing for
18 period of validity; amending 57 O.S. 2021, Section
19 513.3, as amended by Section 1, Chapter 64, O.S.L.
20 2022 (57 O.S. Supp. 2022, Section 513.3), which
21 relates to employment and state identification
22 assistance for inmates; directing the Department of
23 Corrections to assist inmates with obtaining state-
24 issued driver licenses; directing the Department to
identify inmates who have current forms of
identification; authorizing the utilization of
certain funds to pay for driver licenses; and
providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-105.3, as
amended by Section 44, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,
Section 6-105.3), is amended to read as follows:

1 Section 6-105.3 A. In addition to the licenses to operate
2 motor vehicles, Service Oklahoma may issue cards to Oklahoma
3 residents for purposes of identification only. The identification
4 cards shall be issued, renewed, replaced, canceled and denied in the
5 same manner as driver licenses in this state. A licensee whose
6 record reflects a notation of the person's proof of legal presence,
7 verified by the U.S. Department of Homeland Security, or proof of
8 U.S. citizenship, may obtain a REAL ID Compliant Identification Card
9 or a Noncompliant Identification Card from a licensed operator or
10 Service Oklahoma, regardless of the status of the license held by
11 the licensee. Provided, the licensee must comply with all REAL ID
12 documentation requirements to obtain a REAL ID Compliant
13 Identification Card. A person shall not apply for or possess more
14 than one state-issued or territory-issued REAL ID Compliant
15 Identification Card pursuant to the provisions of Section 6-101 of
16 this title.

17 The application for an identification card by any person under
18 the age of eighteen (18) years shall be signed and verified by a
19 custodial legal parent or legal guardian, either in person before a
20 person authorized to administer oaths or electronically if
21 completing an online application, or a notarized affidavit signed by
22 a custodial legal parent or legal guardian submitted before a person
23 authorized to administer oaths by the person under the age of
24 eighteen (18) years with the application. Except as otherwise

1 provided in this section, the identification cards shall be valid
2 for a period of either four (4) years from the month of issuance or
3 eight (8) years from the month of issuance; however, the
4 identification cards issued to persons sixty-five (65) years of age
5 or older shall be valid indefinitely from the month of issuance.

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

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

20 3. REAL ID Compliant or REAL ID Noncompliant Identification
21 Cards and REAL ID Compliant Driver Licenses 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 Service
2 Oklahoma and are nonrenewable and nontransferable.

3 4. The fee charged for the issuance or replacement of a REAL ID
4 Compliant or REAL ID Noncompliant Identification Card or REAL ID
5 Compliant Driver License pursuant to this subsection shall be
6 deposited in the Department of Public Safety Revolving Fund through
7 October 31, 2022. Beginning November 1, 2022, this fee shall be
8 deposited in the Service Oklahoma Revolving Fund. Provided,
9 however, REAL ID Compliant or REAL ID Noncompliant Identification
10 Cards and REAL ID Compliant Driver Licenses issued to individuals
11 required to register pursuant to the Sex Offenders Registration Act
12 shall only be valid for a period of one (1) year. No person sixty-
13 five (65) years of age or older shall be charged a fee for a REAL ID
14 Noncompliant Identification Card.

15 5. Service Oklahoma is authorized to promulgate rules and
16 procedures to implement the provisions of this subsection.

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

1 Service Oklahoma may promulgate rules related to the issuance of
2 replacement REAL ID Compliant Identification Cards in the event of
3 loss or theft.

4 D. The fee charged for the issuance or renewal of a REAL ID
5 Compliant Identification Card shall be Twenty-five Dollars (\$25.00)
6 for a 4-year card and Fifty Dollars (\$50.00) for an 8-year card.
7 The fee charged for the issuance or renewal of a REAL ID
8 Noncompliant Identification Card pursuant to this section shall be
9 Twenty-five Dollars (\$25.00) for a 4-year card and Fifty Dollars
10 (\$50.00) for an 8-year card; however, no person sixty-five (65)
11 years of age or older, or one hundred percent (100%) disabled
12 veteran described in subsection P of Section 6-101 of this title
13 shall be charged a fee for an identification card. Of each fee
14 charged pursuant to the provisions of this subsection:

15 1. Seven Dollars (\$7.00) of a 4-year card and Fourteen Dollars
16 (\$14.00) of an 8-year card shall be apportioned as provided in
17 Section 1104 of this title;

18 2. Three Dollars (\$3.00) of a 4-year card and Six Dollars
19 (\$6.00) of an 8-year card shall be credited to the Department of
20 Public Safety Computer Imaging System Revolving Fund to be used
21 solely for the purpose of the administration and maintenance of the
22 computerized imaging system of the Department through October 31,
23 2022. Beginning November 1, 2022, Three Dollars (\$3.00) of a 4-year
24 card and Six Dollars (\$6.00) of an 8-year card shall be credited to

1 the Service Oklahoma Computer Imaging System Revolving Fund to be
2 used solely for the purpose of administration and maintenance of the
3 computerized imaging system of Service Oklahoma;

4 3. Ten Dollars (\$10.00) of a 4-year card and Twenty Dollars
5 (\$20.00) of an 8-year card shall be deposited in the Department of
6 Public Safety Revolving Fund through October 31, 2022. Beginning
7 November 1, 2022, this fee shall be deposited in the Service
8 Oklahoma Revolving Fund;

9 4. Three Dollars (\$3.00) of a 4-year card and Six Dollars
10 (\$6.00) of an 8-year card shall be deposited to the State Public
11 Safety Fund created in Section 2-147 of this title; and

12 5. Two Dollars (\$2.00) for a 4-year card and Four Dollars
13 (\$4.00) for an 8-year card of the fee authorized by this subsection
14 related to the issuance or renewal of an identification card by a
15 licensed operator that does process approved applications or
16 renewals for REAL ID Compliant and REAL ID Noncompliant Driver
17 Licenses or Identification Cards shall be retained by the licensed
18 operator.

19 E. The fee charged for replacement of a REAL ID Compliant
20 Identification Card, or REAL ID Noncompliant Identification Card,
21 shall be Twenty-five Dollars (\$25.00); however, no person sixty-five
22 (65) years of age or older shall be charged a fee for an
23 identification card replacement. Of each fee charged pursuant to
24 the provisions of this subsection:

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

3 2. Three Dollars (\$3.00) shall be credited to the Department of
4 Public Safety Computer Imaging System Revolving Fund to be used
5 solely for the purpose of the administration and maintenance of the
6 computerized imaging system of the Department through October 31,
7 2022. Beginning November 1, 2022, Three Dollars (\$3.00) shall be
8 credited to the Service Oklahoma Computer Imaging System Revolving
9 Fund to be used solely for the purpose of administration and
10 maintenance of the computerized imaging system of Service Oklahoma;

11 3. Ten Dollars (\$10.00) shall be deposited in the Department of
12 Public Safety Revolving Fund through October 31, 2022. Beginning
13 November 1, 2022, this fee shall be deposited in the Service
14 Oklahoma Revolving Fund;

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

17 5. Two Dollars (\$2.00) of the fee authorized by this subsection
18 related to the replacement of an identification card by a licensed
19 operator that does process approved applications or renewals for
20 REAL ID Compliant or REAL ID Noncompliant Driver Licenses or
21 Identification Cards shall be retained by the licensed operator.

22 F. The Oklahoma Tax Commission is hereby authorized to
23 reimburse, from funds available to that agency, each licensed
24 operator issuing an identification card to a person sixty-five (65)

1 years of age or older, an amount not to exceed One Dollar (\$1.00)
2 for each card or driver license so issued. The Tax Commission shall
3 develop procedures for claims for reimbursement.

4 G. Notwithstanding any other provision of law, when a person
5 makes application for a new identification card, or makes
6 application to renew an identification card, and the person has been
7 convicted of, or received a deferred judgment for, any offense
8 required to register pursuant to the Sex Offenders Registration Act,
9 the identification card shall be valid for a period of one (1) year
10 from the month of issuance, but may be renewed yearly during the
11 time the person is subject to registration on the Sex Offender
12 Registry. The cost for such identification card shall be the same
13 as for other identification cards and renewals.

14 SECTION 2. AMENDATORY 57 O.S. 2021, Section 513.3, as
15 amended by Section 1, Chapter 64, O.S.L. 2022 (57 O.S. Supp. 2022,
16 Section 513.3), is amended to read as follows:

17 Section 513.3. A. When any inmate shall be discharged from an
18 institution of the Department of Corrections and the intended
19 residence designated by the inmate is within this state, the
20 Department of Corrections shall provide the inmate with relevant
21 documentation to assist the inmate in obtaining post-release
22 employment and shall coordinate with the Department of Public Safety
23 to provide a REAL ID Compliant or REAL ID Noncompliant
24 Identification Card or a REAL ID Compliant Driver License if the

1 inmate does not have a current state-issued identification card or
2 driver license.

3 B. 1. Within nine (9) months prior to the release of an inmate
4 from custody, the Department of Corrections shall identify whether
5 the inmate has a current form of state identification and begin the
6 process of gathering the documentation required for the issuance of
7 a REAL ID Compliant or REAL ID Noncompliant Identification Card
8 pursuant to Section 6-105.3 of Title 47 of the Oklahoma Statutes or
9 a REAL ID Compliant Driver License pursuant to Section 6-101 of
10 Title 47 of the Oklahoma Statutes. If an inmate has any valid form
11 of a state-issued identification card or driver license, the inmate
12 may avail himself or herself of the provisions of this section.

13 2. The Department of Corrections may utilize any funds
14 available to cover the costs associated with the implementation and
15 administration of this section and the purchase of REAL ID Compliant
16 or REAL ID Noncompliant Identification Cards or REAL ID Compliant
17 Driver Licenses, including, but not limited to, inmate trust funds,
18 existing funds of the Department of Corrections and donations.

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

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

- 1 1. A copy of the vocational training record of the inmate, if
2 applicable;
- 3 2. A copy of the work record of the inmate, if applicable;
- 4 3. A certified copy of the birth certificate of the inmate, if
5 obtainable;
- 6 4. A Social Security card or a replacement Social Security card
7 of the inmate, if obtainable;
- 8 5. A resume that includes any trade learned by the inmate and
9 the proficiency at that trade by the inmate; and
- 10 6. Documentation that the inmate has completed a practice job
11 interview.

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

15 D. The following categories of inmates are not required to
16 complete resumes or practice job interviews prior to their release
17 from incarceration:

- 18 1. Inmates sixty-five (65) years of age or older;
- 19 2. Inmates releasing to medical parole or discharging from a
20 prison infirmary setting;
- 21 3. Inmates releasing from a Department of Corrections Mental
22 Health Unit;
- 23 4. Inmates releasing to the custody of another jurisdiction on
24 a warrant or detainer;

1 5. Inmates returning to community supervision from an
2 intermediate revocation facility; and

3 6. Inmates that the Department determines would be physically
4 or mentally unable to return to the workforce upon release from
5 incarceration.

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

8 SECTION 3. This act shall become effective November 1, 2023.

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