

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 HOUSE BILL 3809

By: Dollens

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6 AS INTRODUCED

7 An Act relating to homeless persons; amending 47 O.S.  
8 2021, Section 6-105.3, as last amended by Section 6,  
9 Chapter 47, 1st Extraordinary Session, O.S.L. 2023  
10 (47 O.S. Supp. 2023, Section 6-105.3), which relates  
11 to identification cards for Oklahoma residents;  
12 exempting homeless persons from replacement fee;  
13 defining term; amending 63 O.S. 2021, Section 1-325,  
14 which relates to fees for certified copies of  
15 records; exempting homeless persons from fee for  
16 certified copy of birth certificate; establishing  
17 requirements for exemption; and providing an  
18 effective date.

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

20 SECTION 1. AMENDATORY 47 O.S. 2021, Section 6-105.3, as  
21 last amended by Section 6, Chapter 47, 1st Extraordinary Session,  
22 O.S.L. 2023 (47 O.S. Supp. 2023, Section 6-105.3), is amended to  
23 read as follows:

24 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. A

1 licensee whose record reflects a notation of the person's proof of  
2 legal presence, verified by the U.S. Department of Homeland  
3 Security, or proof of U.S. citizenship, may obtain a REAL ID  
4 Compliant Identification Card or a Noncompliant Identification Card  
5 from a motor license agent or the Department of Public Safety,  
6 regardless of the status of the license held by the licensee.  
7 Provided, the licensee must comply with all REAL ID documentation  
8 requirements to obtain a REAL ID Compliant Identification Card. A  
9 person shall not apply for or possess more than one state-issued or  
10 territory-issued REAL ID Compliant Identification Card pursuant to  
11 the provisions of Section 6-101 of this title.

12 The application for an identification card by any person under  
13 the age of eighteen (18) years shall be signed and verified by a  
14 custodial legal parent or legal guardian, either in person before a  
15 person authorized to administer oaths or electronically if  
16 completing an online application, or a notarized affidavit signed by  
17 a custodial legal parent or legal guardian submitted before a person  
18 authorized to administer oaths by the person under the age of  
19 eighteen (18) years with the application. Except as otherwise  
20 provided in this section, the identification cards shall be valid  
21 for a period of either four (4) years from the month of issuance or  
22 eight (8) years from the month of issuance; however, the  
23 identification cards issued to persons sixty-five (65) years of age  
24 or older shall be valid indefinitely from the month of issuance.

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

8 2. The Department of Public Safety shall allow the use of a  
9 certified copy of a birth certificate coupled with a Department of  
10 Corrections-issued consolidated record card to serve as a valid form  
11 of photo identification documentation to obtain a REAL ID  
12 Noncompliant Identification Card.

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

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

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

5 C. No person shall hold more than one state-issued or  
6 territory-issued REAL ID Compliant Driver License or REAL ID  
7 Compliant Identification Card, as defined in subsection G of Section  
8 6-101 of this title. The Department shall not issue a REAL ID  
9 Compliant Identification Card to any applicant who has been  
10 previously issued a REAL ID Compliant Driver License or REAL ID  
11 Compliant Identification Card unless such license or identification  
12 card has been surrendered to the Department by the applicant. The  
13 Department may promulgate rules related to the issuance of  
14 replacement REAL ID Compliant Identification Cards in the event of  
15 loss or theft.

16 D. The fee charged for the issuance or renewal of a REAL ID  
17 Compliant Identification Card shall be Twenty-five Dollars (\$25.00)  
18 for a 4-year card and Fifty Dollars (\$50.00) for an 8-year card.  
19 The fee charged for the issuance or renewal of a REAL ID  
20 Noncompliant Identification Card pursuant to this section shall be  
21 Twenty-five Dollars (\$25.00) for a 4-year card and Fifty Dollars  
22 (\$50.00) for an 8-year card; however, no person sixty-five (65)  
23 years of age or older, or a one hundred percent (100%) disabled  
24 veteran described in subsection P of Section 6-101 of this title,

1 shall be charged a fee for an identification card. Of each fee  
2 charged pursuant to the provisions of this subsection:

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

6 2. Three Dollars (\$3.00) of a 4-year card and Six Dollars  
7 (\$6.00) of an 8-year card shall be credited to the Department of  
8 Public Safety Computer Imaging System Revolving Fund to be used  
9 solely for the purpose of the administration and maintenance of the  
10 computerized imaging system of the Department;

11 3. Ten Dollars (\$10.00) of a 4-year card and Twenty Dollars  
12 (\$20.00) of an 8-year card shall be deposited in the Department of  
13 Public Safety Revolving Fund;

14 4. Three Dollars (\$3.00) of a 4-year card and Six Dollars  
15 (\$6.00) of an 8-year card 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) for a 4-year card and Four Dollars  
18 (\$4.00) for an 8-year card of the fee authorized by this subsection  
19 related to the issuance or renewal of an identification card by a  
20 motor license agent that does process approved applications or  
21 renewals for REAL ID Compliant and REAL ID ~~Non-Compliant~~  
22 Noncompliant Driver Licenses or Identification Cards shall be  
23 retained by the licensed operator through June 30, 2023. Beginning  
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1 July 1, 2023, these monies shall be retained by the licensed  
2 operator pursuant to subsection E of Section 1141.1 of this title.

3 E. The fee charged for replacement of a REAL ID Compliant  
4 Identification Card, or REAL ID ~~Non-Compliant~~ Noncompliant  
5 Identification Card, shall be Twenty-five Dollars (\$25.00); however,  
6 no person sixty-five (65) years of age or older and no homeless  
7 person who submits proof of temporary residence through a social  
8 worker or the coordinator of an emergency shelter for the homeless  
9 where the person is temporarily residing shall be charged a fee for  
10 an identification card replacement. For the purposes of this  
11 section, "homeless person" means a person without domicile who is  
12 unable to secure permanent and stable housing as determined by a  
13 social worker or the coordinator of an emergency shelter for the  
14 homeless. Of each fee charged pursuant to the provisions of this  
15 subsection:

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

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

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

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

3 5. Two Dollars (\$2.00) of the fee authorized by this subsection  
4 related to the replacement of an identification card by a motor  
5 license agent that does process approved applications or renewals  
6 for REAL ID Compliant or REAL ID ~~Non-Compliant~~ Noncompliant Driver  
7 Licenses or Identification Cards shall be retained by the licensed  
8 operator through June 30, 2023. Beginning July 1, 2023, these  
9 monies shall be retained by the licensed operator pursuant to  
10 subsection E of Section 1141.1 of this title.

11 F. 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 through June 30, 2023.  
16 The Tax Commission shall develop procedures for claims for  
17 reimbursement.

18 G. Notwithstanding any other provision of law, when a person  
19 makes application for a new identification card, or makes  
20 application to renew an identification card, and the person has been  
21 convicted of, or received a deferred judgment for, any offense  
22 required to register pursuant to the Sex Offenders Registration Act,  
23 the identification card shall be valid for a period of one (1) year  
24 from the month of issuance, but may be renewed yearly during the  
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1 time the person is subject to registration on the Sex Offender  
2 Registry. The cost for such identification card shall be the same  
3 as for other identification cards and renewals.

4 H. Nothing in this section requires or authorizes the  
5 Department of Public Safety to issue a REAL ID Noncompliant  
6 Identification Card without the documentation required by the  
7 provisions of paragraph 9 of subsection A of Section 6-103 of this  
8 title.

9 SECTION 2. AMENDATORY 63 O.S. 2021, Section 1-325, is  
10 amended to read as follows:

11 Section 1-325. The State Board of Health shall prescribe the  
12 fees to be paid for certified copies of certificates or records, or  
13 for a search of the files or records when no copy is made.

14 The collection of such fees may be accomplished by acceptance of  
15 cash, money orders, credit cards, organization or personal checks;  
16 in the event money orders or checks are proved to be noncollectible,  
17 neither the Board of Health, the Commissioner of Health, nor any of  
18 the employees of the State Department of Health will be held  
19 responsible and personally liable; it is further required that no  
20 additional certified copies of records may be delivered to persons  
21 on whom noncollectible drafts remain outstanding.

22 A search and a verification of birth facts shall be furnished  
23 free of charge to any person volunteering for enlistment into a  
24 branch of the Armed Forces of the United States, upon written  
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1 request therefor by an officer of the Armed Forces representing the  
2 interests of such person who shall be volunteering for service.

3 A certified copy of a birth certificate shall be furnished,  
4 without fee, upon request by a homeless person, provided that the  
5 person submits a request through a social worker or the coordinator  
6 of the emergency shelter for the homeless where the person is  
7 temporarily residing. The request shall be submitted on the  
8 emergency shelter's letterhead and shall include the shelter's  
9 employer identification number and an attestation by the coordinator  
10 that the person requesting the certificate is currently homeless and  
11 residing at the shelter, or the request shall be submitted on the  
12 social worker's agency or professional practice letterhead and shall  
13 include the agency's or the professional practice's employer  
14 identification number and an attestation by the social worker that  
15 the person requesting the certificate is currently homeless. A  
16 certified copy of a birth certificate furnished pursuant to this  
17 paragraph shall be submitted to the social worker or coordinator who  
18 submitted the request. No more than one certified copy of a birth  
19 certificate furnished to a homeless person pursuant to this  
20 paragraph shall be provided without fee. For the purposes of this  
21 section, "homeless person" means a person without domicile who is  
22 unable to secure permanent and stable housing as determined by a  
23 social worker or the coordinator of an emergency shelter for the  
24 homeless.

1 SECTION 3. This act shall become effective November 1, 2024.

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