

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4                   ENGROSSED SENATE  
5                   BILL NO. 544

6                   By: Wingard of the Senate

7                   and

8                   Kerbs of the House

9  
10                  An Act relating to identification documents; amending  
11                  47 O.S. 2021, Section 2-106.3, which relates to the  
12                  Fraudulent Documents Identification Unit; modifying  
13                  name of unit; requiring Commissioner of Public Safety  
14                  to promulgate rules; amending 47 O.S. 2021, Sections  
15                  6-110.2 and 6-301, as amended by Sections 51 and 76,  
16                  Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2024,  
17                  Sections 6-110.2 and 6-301), which relate to driver  
18                  licenses; modifying certain authority; clarifying  
19                  certain immunity; stating certain responsibility;  
20                  authorizing certain agreements; updating statutory  
21                  language and references; and declaring an emergency.

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

23                  SECTION 1.       AMENDATORY       47 O.S. 2021, Section 2-106.3, is

24                  amended to read as follows:

25                  Section 2-106.3. A. Subject to the availability of funding,  
26                  the Department of Public Safety shall establish a ~~Fraudulent~~  
27                  Documents Identification (FDI) Unit an Identity Verification Unit

1      (IVU) for the primary purpose of investigating and apprehending  
2      persons or entities that participate in the sale or distribution of  
3      fraudulent documents used for identification purposes. The unit  
4      shall additionally specialize in fraudulent identification documents  
5      created and prepared for persons who are unlawfully residing within  
6      ~~the State of Oklahoma~~ this state. The Department shall employ  
7      sufficient employees to investigate and implement an ~~FDI~~ Unit  
8      Identity Verification Unit.

9            B. The Commissioner of Public Safety shall promulgate rules to  
10        administer the provisions of this section.

11        SECTION 2.      AMENDATORY      47 O.S. 2021, Section 6-110.2, as  
12        amended by Section 51, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2024,  
13        Section 6-110.2), is amended to read as follows:

14        Section 6-110.2. A. Service Oklahoma shall implement a  
15        procedure for computerized finger imaging by means of an inkless  
16        finger image scanning device and shall require every applicant for  
17        an original, renewal, or replacement driver license or  
18        identification card to submit to finger imaging for the purposes of  
19        proof of identity and to ensure the security of the driver license  
20        or identification card issued to the applicant. If the finger image  
21        of a person over sixty-five (65) years of age cannot be scanned and  
22        the issuing agent can personally verify the individual's identity  
23        with alternative identification, the finger imaging shall be

1 overridden. Means must be provided to trace to the agent who  
2 authorized the override.

3       B. No unemancipated person under eighteen (18) years of age  
4 shall be issued a driver license or identification card by Service  
5 Oklahoma unless an authorization form, prescribed and furnished by  
6 Service Oklahoma, or notarized affidavit authorizing the finger  
7 imaging of the person and signed by the legal custodial parent,  
8 legal guardian, or legal custodian of the person, is in the  
9 possession of Service Oklahoma.

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

1       D. Service Oklahoma shall adopt rules as may be necessary to  
2 carry out the provisions of this section.

3             SECTION 3.           AMENDATORY           47 O.S. 2021, Section 6-301, as  
4 amended by Section 76, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2024,  
5 Section 6-301), is amended to read as follows:

6             Section 6-301. It shall be unlawful for any person to commit  
7 any of the acts specified in paragraph 1 or 2 of this section in  
8 relation to an Oklahoma driver license or identification card  
9 authorized to be issued by Service Oklahoma pursuant to the  
10 provisions of Sections 6-101 through 6-309 of this title or any  
11 driver license or other evidence of driving privilege or  
12 identification card authorized to be issued by the state of origin.

13             1. It is a misdemeanor for any licensee:

14                 a. to display or cause or permit to be displayed one's  
15                     own license after such license has been suspended,  
16                     revoked, or canceled or to possess one's own license  
17                     after having received notice of its suspension,  
18                     revocation, or cancellation,

19                 b. to lend one's own license or identification card to  
20                     any other person or knowingly permit the use thereof  
21                     by another,

22                 c. to display or cause or permit to be displayed or to  
23                     possess a license or identification card issued to  
24                     oneself which bears altered information concerning the

date of birth, expiration date, sex, height, eye color, weight, or license or card number, to fail or refuse to surrender to Service Oklahoma upon its lawful demand any license or identification card which has been suspended, revoked, or canceled, to permit any unlawful use of a license or identification card issued to oneself, to do any act forbidden or fail to perform any act required by this chapter, excepting those acts as provided in paragraph 2 of this section, to display or represent as one's own, any license or identification card not issued to such person, unless under conditions provided in subparagraph e of paragraph 2 of this section, or to add to, delete from, alter, or deface the required information on a driver license or identification card.

2. It is a felony for any person:

- a. to create, publish, or otherwise manufacture an Oklahoma or other state license or identification card or facsimile thereof, or to create, manufacture, or possess an engraved plate or other such device, card, laminate, digital image or file, or software for the printing of an Oklahoma or other state license or

- 1                   identification card or facsimile thereof, except as  
2                   authorized pursuant to this title,  
3                   b. to display or cause or permit to be displayed or to  
4                   knowingly possess any state counterfeit or fictitious  
5                   license or identification card,  
6                   c. to display or cause to be displayed or to knowingly  
7                   possess any state license or identification card  
8                   bearing a fictitious or forged name or signature,  
9                   d. to display or cause to be displayed or to knowingly  
10                  possess any state license or identification card  
11                  bearing the photograph of any person, other than the  
12                  person named thereon as licensee,  
13                  e. to display or represent as one's own, any license or  
14                  identification card not issued to him or her, for the  
15                  purpose of committing a fraud in any commercial  
16                  transaction or to mislead a peace officer in the  
17                  performance of his or her duties, or  
18                  f. to use a false or fictitious name in any application  
19                  for a license or identification card or to knowingly  
20                  make a false statement or to knowingly conceal a  
21                  material fact or otherwise commit a fraud in any such  
22                  application.

23                 3. It is a felony for any employee or person authorized to  
24                 issue or approve the issuance of licenses or identification cards

1 under this title to knowingly issue or attempt to issue a license or  
2 identification card or to knowingly give approval for, cause, or  
3 attempt to cause a license or identification card to be issued:

- 4       a. to a person not entitled thereto,
- 5       b. bearing erroneous information thereon, or
- 6       c. bearing the photograph of a person other than the  
7                   person named thereon.

8 Such conduct shall be grounds for termination of employment of the  
9 employee.

10      4. The violation of any of the provisions of paragraph 1 of  
11 this section shall constitute a misdemeanor and shall, upon  
12 conviction thereof, be punishable by a fine ~~of~~ not less than Twenty-  
13 five Dollars (\$25.00), nor more than Two Hundred Dollars (\$200.00);  
14 the violation of any of the provisions of paragraph 2 or 3 of this  
15 section shall constitute a felony and shall, upon conviction  
16 thereof, be punishable by a fine not ~~exceeding~~ to exceed Ten  
17 Thousand Dollars (\$10,000.00) or a term of imprisonment in the  
18 custody of the Department of Corrections not to exceed seven (7)  
19 years, or by both such fine and imprisonment.

20      5. Notwithstanding any provision of this section, ~~Service~~  
21 ~~Oklahoma~~ the Department of Public Safety, through the Identity  
22 Verification Unit established pursuant to Section 2-106.3 of this  
23 title, may, upon the request of the chief administrator of a law  
24 enforcement, military, or intelligence agency, authorize the

1 issuance to and display, and possession by a person of a license  
2 which would otherwise be a violation of this section, for the sole  
3 purpose of aiding in a criminal investigation or a military or  
4 intelligence operation. While acting pursuant to such authorization  
5 by Service Oklahoma the Department, such person shall not be  
6 prosecuted for a violation under this section unless the person  
7 exceeds the scope or duration of the Department's authorization.

8 Upon termination of such investigation or operation or upon request  
9 of the Department, Service Oklahoma shall forthwith cause such  
10 license to be returned to Service Oklahoma the chief administrator  
11 of the law enforcement agency that requests the issuance of the  
12 license and the recipient of the license shall be jointly  
13 responsible to ensure the license is promptly returned to the  
14 Department. The Department and Service Oklahoma shall enter into  
15 interagency agreements as may be necessary to fulfill the powers and  
16 duties set forth in this paragraph. The Department may enter into  
17 interagency agreements with law enforcement agencies that request  
18 issuance of such a license to set forth the terms of the  
19 authorization for use of the license, the terms for custody and  
20 control of the license, and the terms for duration and revocation of  
21 authorization to use or possess the license.

22 SECTION 4. It being immediately necessary for the preservation  
23 of the public peace, health or safety, an emergency is hereby  
24

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.  
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4 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY, dated  
04/17/2025 - DO PASS.  
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