

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2223

BY: JOHNSON (Rob)

AS INTRODUCED

AN ACT RELATING TO CRIMES AND PUNISHMENTS; AMENDING
21 O.S. 1991, SECTION 845, WHICH RELATES TO CHILD
ABUSE; MODIFYING DEFINITIONS; CLARIFYING LANGUAGE;
AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 845, is
amended to read as follows:

Section 845. A. It is the policy of this state to provide for
the protection of children who have had physical injury inflicted
upon them and who, in the absence of appropriate reports concerning
their condition and circumstances, may be further threatened by the
conduct of ~~those~~ a person responsible for ~~their~~ the care and
protection of such children.

B. As used in Sections 846 through 848 of this title:

1. "Abuse and neglect" means harm or threatened harm to a
child's health or welfare by a person responsible for the child's
health or welfare-;

~~2.~~ "Harm or threatened harm to a child's health or welfare" ~~can occur through:~~ ~~Nonaccidental~~ includes but is not limited to nonaccidental physical or mental injury~~7,~~ sexual abuse, ~~as defined by state law;~~ sexual exploitation or negligent treatment or maltreatment~~7~~, including the failure to provide adequate food, clothing, shelter, or medical care except as provided for in Section 846 of this title;

~~2.~~ 3. "Child" means a person under the age of eighteen (18) years. ~~A person;~~

4. "Person responsible for a child's health or welfare" includes the child's parent, guardian, or other person responsible for the child's health or welfare, whether in the same home as the child, a relative's home, a foster care home, or a residential institution;

~~3.~~ 5. "Sexual abuse" includes but is not limited to rape, incest and lewd or indecent acts or proposals, as defined by law, by a person responsible for the child's welfare; and

~~4.~~ 6. "Sexual exploitation" includes but is not limited to allowing, permitting, or encouraging a child to engage in prostitution, as defined by law, by a person responsible for the child's welfare or allowing, permitting, encouraging, or engaging in the lewd, obscene, or pornographic photographing, filming, or depicting of a child in those acts~~7~~, as defined by the state law, by a person responsible for the child's welfare.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.