ENGROSSED SENATE
BILL NO. 73

By: Hendrick, Henry and Price of the Senate

and

Vaughn of the House

An Act relating to child visitation; creating the Oklahoma Child Visitation Registry Act and providing short title; allowing associate district judges to enter into agreements to provide for child visitation registries with public or private agencies; authorizing maximum fee; requiring use of certain records; requiring verification of records; requiring copies of log to be available for participants; providing for certification of records; requiring preservation of records for minimum time period; stating that records shall be rebuttable presumptive proof of compliance with certain court order; providing for court order for certain persons to participate in certain registry program; requiring development of certain forms and specifying contents; requiring the court to hear applications for participation in the registry within certain time; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 420 of Title 43, unless there is created a duplication in numbering, reads as follows:

This act shall be known as the "Oklahoma Child Visitation Registry Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 421 of Title 43, unless there is created a duplication in numbering, reads as follows:

The associate district judge in each county within this state may authorize one or more public or private agencies to provide a child visitation registry program. Eligible governmental agencies shall include, but not be limited to, county sheriffs' offices, State Department of Health child guidance centers, social service agencies, and police departments. A participating agency may charge a fee not to exceed Two Dollars ($2.00) per parent, per visit.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 422 of Title 43, unless there is created a duplication in numbering, reads as follows:

A. The child visitation registry program shall include a log for each case participating in the program which must be signed by each parent at the time of arrival and departure. The agency must have an employee assigned to verify identification of each parent or guardian, initial each signature, and record the time of each person's arrival and departure.

B. Copies of a participant's log shall be available for purchase by the participant at the agency's reproduction cost. Copies of the records may be certified by stamp. Each agency shall maintain participants' records for a minimum of three (3) years.

C. Entries in child visitation registry records shall be rebuttable presumptive proof of compliance or noncompliance with court-ordered visitation.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 423 of Title 43, unless there is created a duplication in numbering, reads as follows:

The court may order parents to participate in the child visitation registry program either before or after divorce or custody proceedings have become final. The court may order parents to participate in the program on its own motion or upon the motion of either parent.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 424 of Title 43, unless there is created a duplication in numbering, reads as follows:

The Office of the Court Administrator shall develop:

1. A form for use in petitioning the court for inclusion in the child visitation registry which shall be distributed to all court clerk offices; and

2. A form for the court's order requiring participation in the registry. This form shall provide for the following:

a. a requirement that a copy of the order be given to each parent, the child visitation registry agency, and court file,

b. a determination of who is authorized to pick up or deliver a child to the child visitation registry agency. The list may include, but is not limited to, parents, stepparents, and grandparents,

c. a determination of when the participants shall meet to pick up or deliver a child to the child visitation registry agency. This decision shall include specific days of the week and time periods,

d. the date when participation in the program shall begin or end, and

e. a requirement that the participant delivering the child to the registry must wait at the agency and sign

out after the participant picking up the child has departed from the agency.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 425 of Title 43, unless there is created a duplication in numbering, reads as follows:

The court shall hear applications for inclusion in the child visitation registry within thirty (30) days after service upon the nonapplicant.

SECTION 7. This act shall become effective January 1, 1997.

Passed the Senate the 11th day of March, 1996.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1996.

Speaker of the House of Representatives