ENROLLED HOUSE
BILL NO. 1322

By: Steidley and Roach of the House

and

Hendrick of the Senate

An Act relating to adoption law; establishing the Adoption Law Reform Committee; directing cooperation; stating Committee membership, method of appointment, term and procedure for vacancies; stating purposes and duties for Committee; establishing dates for Committee to submit recommendations; providing termination date for Committee; providing for appointment of cochairs and officers; authorizing travel reimbursement; providing for meetings, quorum and record-keeping; requiring progress reports; providing staff to assist Committee; providing for codification; providing an effective date; and declaring an emergency.

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 61.51 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The Legislature hereby establishes the Adoption Law Reform Committee and directs said Committee to undertake a full, good faith and thorough study and recommended revision and recodification of the adoption laws and procedures of the Oklahoma Statutes.

B. All departments, officers, agencies and employees of this state shall cooperate with the Adoption Law Reform Committee in carrying out its duties and responsibilities, including providing any information, records and reports as may be requested by the cochair of the Committee.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 61.52 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The Committee shall consist of fourteen (14) members appointed as follows:

1. One member shall be a presiding judge of a court having adoption law jurisdiction, to be appointed by the Assembly of Presiding Judges;

2. One member shall be a professor of law from the University of Oklahoma Law Center, to be appointed by the Director of the Law Center;

3. One member shall be a professor of law from the University of Tulsa College of Law, to be appointed by the Dean of the College of Law;

4. One member shall be the Director of the Department of Human Services or his designee;

5. Three members shall be appointed by the Speaker of the House of Representatives, one of which shall be a director of a public or private not-for-profit child-placing agency;

6. Three members shall be appointed by the President Pro Tempore of the Senate, one of which shall be a director of a private, for-profit, licensed child-placing agency;

7. One member shall be a judge or a justice of the Supreme Court of the State of Oklahoma, to be appointed by the justices of the Supreme Court of the State of Oklahoma; and

8. Three members shall be attorneys practicing in the area of adoption law and who are active members of the Family Law Section of the Oklahoma Bar Association, to be appointed by the President of the Oklahoma Bar Association.

B. Each member of the Adoption Law Reform Committee initially appointed shall make his appointment known to the Speaker of the House of Representatives and the President Pro Tempore of the Senate by August 1, 1995. Appointed members shall serve until June 30, 1997.

C. The Adoption Law Reform Committee may divide into subcommittees in furtherance of its purposes.

D. Any vacancies in the appointive membership of the Adoption Law Reform Committee shall be filled for the unexpired term in the same manner as the original appointment.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 61.53 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The purposes of the Adoption Law Reform Committee shall be to conduct a systematic review and study of all adoption law and adoption procedures in the Oklahoma Statutes and prepare a recommended draft to reclassify, update, reform and recodify the statutes. The duties of the Committee in preparing recommendations shall be as follows:

1. To consolidate similar statutes;

2. To renumber adoption law statutes;

3. To repeal obsolete or duplicate statutes or any statutes which shall have been declared unconstitutional by court decision;

4. To create a recommended Adoption Law Article in Title 10 of the Oklahoma Statutes;

5. To incorporate into the Adoption Law Article as many existing statutes relating to adoption law procedure found throughout the Oklahoma Statutes as is practicable;

6. To update statutory references within each section relating to adoption law procedure;

7. To clarify and update existing statutory language;

8. To recodify those sections of law which relate to adoption law procedure when the move will improve the location, use, application and appropriateness of the section; and

9. To perform any other act necessary to complete the purposes of the Committee.

B. The Adoption Law Reform Committee shall be responsible for drafting recommended legislation in accordance with the current legislative drafting procedures.

C. 1. The Adoption Law Reform Committee shall prepare a final draft of a recommended Adoption Law Article, and shall submit said recommended Article to the Speaker of the House of Representatives and the President Pro Tempore of the Senate by November 1, 1996.

2. If, after the Committee submits the recommended Article, the Committee determines the Article needs additional revisions, said revisions shall be submitted as one final amendment. The recommended Article amendment shall be submitted to the Speaker of

the House of Representatives and the President Pro Tempore of the Senate not later than March 1, 1997.

3. The Adoption Law Reform Committee shall submit a summary of every recommended change and addition to existing laws at the time the recommended Adoption Law Article and any amendments are presented to the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

D. The Adoption Law Reform Committee shall cease to function June 30, 1997.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 61.54 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. Within fifteen (15) days from the initial appointment of membership for the Adoption Law Reform Committee, the Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each appoint one member of the Committee to serve as cochairs. If a vacancy occurs in such office, a new cochair shall be appointed from the Committee in the same manner as the original appointment, who shall serve until June 30, 1997.

B. Other officers may be elected to serve the Committee for terms of office as may be designated by the Committee members. The cochairs of the Committee or their designees shall preside at meetings.

C. The Committee may meet at least one time per month and at such other times as may be set by the cochairs of the Committee.

D. Members of the Committee shall receive no salary; however, all members of the Committee shall be reimbursed for their actual and necessary travel expenses as follows:

1. Legislative members of the Committee shall receive reimbursement from the house in which they serve as provided in the State Travel Reimbursement Act, except when the Legislature is in session and the meeting is held in Oklahoma City;

2. Nonlegislative Committee members employed by the state shall be reimbursed by their respective employing agency pursuant to the State Travel Reimbursement Act; and

3. Any other Committee member shall receive reimbursement pursuant to the State Travel Reimbursement Act from funds of the Legislative Service Bureau.

E. A majority of the members appointed to the Committee shall constitute a quorum and a majority present may act for the Committee.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 61.55 of Title 10, unless there is created a duplication in numbering, reads as follows:

The Adoption Law Reform Committee shall provide a written progress report to the President Pro Tempore of the Senate and the Speaker of the House of Representatives on or before March 1, 1996.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 61.56 of Title 10, unless there is created a duplication in numbering, reads as follows:

The Oklahoma House of Representatives and the Oklahoma State Senate may provide staff assistance to the Adoption Law Reform Committee as necessary to assist the Committee in the performance of its duties.

SECTION 7. This act shall become effective July 1, 1995.

SECTION 8. 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.

Passed the House of Representatives the 7th day of March, 1995.

Speaker of the House of Representatives

Passed the Senate the 11th day of April, 1995.

President of the Senate