ENROLLED HOUSE
BILL NO. 1381 By: Seikel of the House

and

Herbert of the Senate

An Act relating to children; reestablishing the Interdisciplinary Council on the Prevention of Juvenile Sex Offenses; providing for membership, appointments, vacancies, officers, meetings, resource persons, powers and duties, staff and office space; prohibiting compensation and certain reimbursement; requiring the State Department of Health to implement certain programs; requiring the Department of Mental Health and Substance Abuse Services to act as lead agency and provide certain services; amending 74 O.S. 1991, Section 3905, as amended by Section 1, Chapter 343, O.S.L. 1992 (74 O.S. Supp. 1994, Section 3905), which relates to the termination date of certain sunset entities; adding the Interdisciplinary Council on the Prevention of Juvenile Sex Offenses to such list to be terminated; providing for codification; 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 1507.28 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. There is hereby reestablished to continue until July 1, 1998, in accordance with the provisions of the Oklahoma Sunset Law, Section 3901 et seq. of Title 74 of the Oklahoma Statutes, the Interdisciplinary Council on the Prevention of Juvenile Sex Offenses. The Council shall be composed of twenty-one (21) members as follows:

1. One member of the House of Representatives, appointed by the Speaker of the House of Representatives;

2. One member of the Senate, appointed by the President Pro Tempore of the Senate;

3. The Director of the Division of Children, Youth and Family Services of the Department of Human Services, or designee;

4. The Director of the Office of Juvenile Affairs, or designee;

5. The Commissioner of Mental Health and Substance Abuse Services, or designee;

6. The State Commissioner of Health, or designee;

7. The Director of the Commission on Children and Youth, or designee;

8. The Director of the Department of Corrections, or designee;

9. The Dean of the University of Oklahoma College of Medicine, or designee;

10. The Dean of the College of Osteopathic Medicine of Oklahoma State University, or designee;

11. The Director of the District Attorney's Council, or designee;

12. The Administrative Director of the Courts, or designee;

13. One member appointed by the State Board of Examiners of Psychologists;

14. One member appointed by the Commissioner of Public Safety;

15. One member appointed by the Executive Committee of the Oklahoma Planning and Coordinating Council for Services to Children and Youth;

16. One member appointed by the President of the Oklahoma Bar Association, who shall be an attorney having experience as a defense attorney for children and youth; and

17. Five members appointed by the Oklahoma Commission on Children and Youth, who shall be providers of private community-based services for children and adolescents, and their families, for the primary, secondary and tertiary prevention of juvenile sex offenses.

B. The members of the Interdisciplinary Council on the Prevention of Juvenile Sex Offenses shall be appointed within thirty (30) days of the effective date of this act. Any vacancy in the appointive membership of the Council shall be filled in the same manner as the original appointment.

C. The Council shall annually elect a chairperson and a vice-chairperson and shall meet at least quarterly and at such other times as may be necessary. The first meeting of the Council shall be held within forty-five (45) days of the effective date of this act. All meetings of the Council shall be subject to the provisions of the Oklahoma Open Meeting Act, Section 301 et seq. of Title 25 of the Oklahoma Statutes. Members of the Council shall not receive compensation for their services and shall not receive travel reimbursement.

D. 1. Primary staff support for the Council shall be provided by the Department of Mental Health and Substance Abuse Services. The Department of Mental Health and Substance Abuse Services shall provide clerical staff support to assist the Council and provide space for meetings.

2. The State Commissioner of Health and the Commissioner of the Department of Mental Health and Substance Abuse Services shall each appoint an employee from such Commissioner's department to serve as a resource person and provide assistance to the Council.

3. Each agency and organization represented on the Council shall, upon the request of the chairperson, provide staff support, information and other assistance to the Council.

4. For the purpose of accessing specialized expert or technical assistance for the Council and with the consent of the Council, the chairperson may appoint ad hoc subcommittees, task forces of working groups composed of both members of the Council and nonmembers.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1507.29 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The duties and responsibilities of the Interdisciplinary Council on the Prevention of Juvenile Sex Offenses shall include but not be limited to:

1. Developing a comprehensive approach to the prevention of sex offenses by juveniles and the treatment of juvenile victims of sex offenses, which shall include but not be limited to:

a. a statewide continuum of treatment services from secure to community-based programs for juvenile sex offenders to be provided by public and private agencies,

b. an adequate array and geographic distribution of services for juvenile victims of sex offenses,

c. a statewide system of programs for the primary prevention of juvenile sex offenses,

d. training for mental health, social services, court and law enforcement professionals in the areas of juvenile sex offenders and victims of juvenile sex offenses. The Council shall propose guidelines for such training, and

e. completion of a statewide needs assessment identifying the array, geographic distribution and funding necessary for the implementation of the comprehension approach;

2. Monitoring the implementation of said comprehensive system;

3. Monitoring the continued development and implementation of a uniform coding system for juvenile sex offenders for use across the state by the Department of Human Services, the Bureau of Juvenile Affairs, the OSBI, and state and local law enforcement agencies;

4. Monitoring the continued development and implementation of a training program for mental health professionals in the assessment and treatment of juvenile sex offenders and juvenile victims of sex offenses;

5. Examining the role of public and private schools in the reporting and providing of services and counseling to juvenile sex offenders and to juvenile victims of sexual abuse;

6. Proposing guidelines for certification of juvenile sex offender service providers; and

7. Such other activities as deemed necessary by the Council in order to fulfill the duties and responsibilities assigned to it.

B. On or before December 31 of each year the Council shall submit an annual report to the Governor, Legislature, and each affected public and private agency. The report shall include but not be limited to a report of the activities, findings and recommendations of the Council, and shall identify any executive or legislative actions and funding necessary for the continued development and implementation of the comprehensive approach to the prevention of sex offenses by juveniles and the treatment of juvenile victims of sex offenses.

SECTION 3. AMENDATORY 74 O.S. 1991, Section 3905, as amended by Section 1, Chapter 343, O.S.L. 1992 (74 O.S. Supp. 1994, Section 3905), is amended to read as follows:

Section 3905. The following statutory entities and their successors shall be terminated on July 1, 1998, and all powers, duties and functions shall be abolished one (1) year thereafter:

1. State Board of Registration for Professional Engineers and Land Surveyors as created by Section 475.3 of Title 59 of the Oklahoma Statutes;

2. Oklahoma Accountancy Board as created by Section 15.2 of Title 59 of the Oklahoma Statutes;

3. The Board of Governors of the Licensed Architects and Landscape Architects of Oklahoma as created by Section 46.4 of Title 59 of the Oklahoma Statutes;

4. Oklahoma State Board of Embalmers and Funeral Directors as created by Section 396 of Title 59 of the Oklahoma Statutes;

5. Contingency Review Board as created by Section 3605 of this title;

6. Long-Term Care Facility Advisory Board as created by Section 1-1923 of Title 63 of the Oklahoma Statutes;

7. Eldercare Program Advisory Committee as created by Section 1-111.1 of Title 63 of the Oklahoma Statutes;

8. Oklahoma Independent Energy Resources Board as created by Section 288.3 of Title 52 of the Oklahoma Statutes;

9. Commission on Marginally Producing Oil and Gas Wells as created by Section 700 of Title 52 of the Oklahoma Statutes;

10. State Data Processing and Telecommunications Advisory Committee as created by Section 41.5n of Title 62 of the Oklahoma Statutes;

11. Minority Teacher Recruitment Advisory Committee as created by Section 6-130 of Title 70 of the Oklahoma Statutes;

12. Oklahoma Commission for Teacher Preparation as created by Section 6-178 of Title 70 of the Oklahoma Statutes; ~~and~~

13. Group Homes for Developmentally Disabled or Physically Handicapped Persons Advisory Board as created by Section 1-818.4 of Title 63 of the Oklahoma Statutes; and

14. Interdisciplinary Council on the Prevention of Juvenile Sex Offenses as created by Section 1 of this act.

SECTION 4. 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 16th day of May, 1995.

Speaker of the House of Representatives

Passed the Senate the 18th day of May, 1995.

President of the Senate