

SHORT TITLE: An act relating to children; removing exemption of foster family home from criminal history investigation requirement of the Oklahoma Child Care Facilities Licensing Act; effective date.

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

SENATE BILL NO. 377

By: Helton

AS INTRODUCED

An Act relating to children; amending 10 O.S. 1991, Section 404.1, as amended by Section 4, Chapter 122, O.S.L. 1993 (10 O.S. Supp. 1994, Section 404.1), which relates to the Oklahoma Child Care Facilities Licensing Act; removing the exemption of foster family homes from the criminal history investigation requirement; requiring the Department of Human Services to conduct certain investigation for certain applicant; and providing an effective date.

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

SECTION 1. AMENDATORY 10 O.S. 1991, Section 404.1, as amended by Section 4, Chapter 122, O.S.L. 1993 (10 O.S. Supp. 1994, Section 404.1), is amended to read as follows:

Section 404.1 A. The owner or administrator of a child care facility, other than a ~~foster family home or a~~ day care center, providing full-time care or twenty-four-hour supervised care shall arrange, prior to employment, for a criminal history investigation conducted by the Oklahoma State Bureau of Investigation for an applicant for employment.

B. 1. Every owner or administrator of a day care center and a family day care home shall arrange, prior to employment, for a criminal history investigation conducted by the Oklahoma State Bureau of Investigation for an applicant for employment.

2. Prior to placement of a child into a foster family home, the Department of Human Services shall arrange for a criminal history investigation, conducted by the Oklahoma State Bureau of Investigation, for a foster family applicant.

C. A conviction for a crime shall not be an absolute bar to employment, but shall be considered in relation to specific employment duties and responsibilities.

D. Information received by an owner or administrator of a child care facility or a day care center pursuant to this section shall be maintained in a confidential manner. Whenever an applicant is subsequently employed by ~~said~~ the owner or administrator, ~~said~~ the information shall not be made a part of ~~that~~ the individual's personnel records.

E. A criminal history investigation conducted by the Oklahoma State Bureau of Investigation pursuant to this section shall include a search of Department of Corrections' files maintained pursuant to the Sex Offenders Registration Act, Section 581 et seq. of Title 57 of the Oklahoma Statutes.

SECTION 2. This act shall become effective November 1, 1995.

45-1-0252 CJ