ENGROSSED HOUSE
JOINT
RESOLUTION NO. 1029

By: Sweeden, Gray and Webb of the House

and

Shurden of the Senate

A Joint Resolution relating to a permanent rule of the Department of Human Services; disapproving permanent rule OAC 340:75-15-87(h)(3) regarding adoptive home assessment and preparation process; directing distribution; and declaring an emergency.

WHEREAS, pursuant to Sections 250.2 and 308 of Title 75 of the Oklahoma Statutes, the Legislature reserves the right to designate the method for rule promulgation, establish policy, determine that a rule is not consistent with legislative intent and disapprove any rule or any portion thereof at any time; and

WHEREAS, permanent rule OAC 340:75-15-87(h)(3) provides for a fifty-dollar search fee to be paid by non-DHS applicants for adoption, if fingerprint cards are found unacceptable a second time by the OSBI or the FBI; and

WHEREAS, the Legislature strongly promotes and considers the search fee imposed on applicants wishing to adopt to be burdensome, excessive, unreasonable and a hindrance to those wishing to adopt.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 47TH OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby disapproves permanent rule OAC 340:75-15-87(h)(3).

SECTION 2. The Secretary of State is hereby directed to distribute copies of this resolution to the Governor, the Director of the Department of Human Services and the Editor of “The Oklahoma Register”.

SECTION 3. 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 resolution shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 20th day of May, 1999.

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Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1999.

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President of the Senate