ENROLLED HOUSE
BILL NO. 2103

By: Paulk, Nance and Seikel of the House

and

Monson of the Senate

An Act relating to children; amending 21 O.S. 1991, Section 847, as amended by Section 5, Chapter 353, O.S.L. 1995, and as renumbered by Section 20, Chapter 353, O.S.L. 1995 (10 O.S. Supp. 1999, Section 7105), which relates to the Oklahoma Child Abuse Reporting and Prevention Act; making the good faith reporting of child abuse by certain medical persons presumed; providing for the development of procedures that will allow the sheriff to obtain certain records; providing for confidentiality; providing for codification; and declaring an emergency.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 847, as amended by Section 5, Chapter 353, O.S.L. 1995, and as renumbered by Section 20, Chapter 353, O.S.L. 1995 (10 O.S. Supp. 1999, Section 7105), is amended to read as follows:

Section 7105. A. Any person participating in good faith and exercising due care in the making of a report pursuant to the provisions of the Oklahoma Child Abuse Reporting and Prevention Act, or any person who, in good faith and exercising due care, allows access to a child by persons authorized to investigate a report concerning the child shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any judicial proceeding resulting from such report.

B. For purposes of any proceeding, civil or criminal, the good faith of any physician, surgeon, osteopathic physician, resident, intern, physician's assistant, registered nurse, or any other health care professional in making a report pursuant to the provisions of Section 7104 of this title shall be presumed.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7307-1.9 of Title 10, unless there is created a duplication in numbering, reads as follows:

The Office of Juvenile Affairs shall, in cooperation with sheriffs in this state, develop procedures for providing timely and relevant information to sheriffs concerning juvenile court records and agency records of persons who have met the criteria specified in paragraph 5 of subsection C of Section 7307-1.2 of Title 10 of the

Oklahoma Statutes. The procedures shall be designed to provide the type of information useful and relevant to establishing security level requirements for persons in the custody of a sheriff. The provisions of this section shall not require the disclosure of any records or information which is required by law to be kept confidential.

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 act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 25th day of May, 2000.

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Speaker of the House of Representatives

Passed the Senate the 25th day of May, 2000.

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President of the Senate