CS for ESB 664

THE HOUSE OF REPRESENTATIVES
Wednesday, April 18, 2007

Committee Substitute for
ENGROSSED
Senate Bill No. 664

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 664 - By: LEFTWICH of the Senate and PETERS of the House.

An Act relating to domestic and child abuse; amending 10 O.S. 2001, Section 7102, as last amended by Section 4, Chapter 258, O.S.L. 2006 (10 O.S. Supp. 2006, Section 7102), which relates to protection of children; modifying definition; amending 10 O.S. 2001, Section 7307-1.4, as amended by Section 2, Chapter 53, O.S.L. 2005 (10 O.S. Supp. 2006, Section 7307-1.4), which relates to juvenile court records; updating statutory reference; amending 22 O.S. 2001, Section 40.1, as amended by Section 2, Chapter 466, O.S.L. 2002 and Section 3, Chapter 53, O.S.L. 2005, (22 O.S. Supp. 2006, Sections 40.1 and 58), which relate to rights of victims of rape or forcible sodomy, and reporting of domestic abuse; modifying entity to establish certain service; updating statutory reference; amending Sections 1, 3, 6 and 7, Chapter 348, O.S.L. 2005 (74 O.S. Supp. 2006, Sections 18p-1, 18p-3, 18p-6 and 18p-7), which relate to the Victim Services Unit of the Office of the Attorney General; modifying definitions; authorizing Attorney General to contract for certain services; requiring promulgation of certain rules and standards; adding exception; allowing injunction against certain program; and providing an effective date.

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

SECTION 1. AMENDATORY 10 O.S. 2001, Section 7102, as last amended by Section 4, Chapter 258, O.S.L. 2006 (10 O.S. Supp. 2006, Section 7102), is amended to read as follows:

Section 7102. A. 1. It is the policy of this state to provide for the protection of children who have been abused or neglected and who may be further threatened by the conduct of persons responsible for the health, safety or welfare of such children.

2. It is the policy of this state that in responding to a report of child abuse or neglect:

a. in any necessary removal of a child from the home,

b. in placements of a child required pursuant to the Oklahoma Child Abuse Reporting and Prevention Act, and

c. in any administrative or judicial proceeding held pursuant to the provisions of the Oklahoma Child Abuse Reporting and Prevention Act,

that the best interests of the child shall be of paramount consideration.

B. Except as otherwise provided by and used in the Oklahoma Child Abuse Reporting and Prevention Act:

1. "Abuse" means harm or threatened harm to a child's health, safety or welfare by a person responsible for the child's health, safety or welfare, including sexual abuse and sexual exploitation;

2. "Harm or threatened harm to a child's health or safety" includes, but is not limited to:

a. nonaccidental physical or mental injury,

b. sexual abuse,

c. sexual exploitation,

d. neglect,

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

e. failure or omission to provide protection from harm or threatened harm, or

f. abandonment;

3. "Neglect" means failure or omission to provide:

a. adequate food, clothing, shelter, medical care, and supervision,

b. special care made necessary by the physical or mental condition of the child, or

c. abandonment;

4. "Child" means any unmarried person under the age of eighteen (18) years, except any person convicted of a crime specified in Section 7306-1.1 of this title or any person who has been certified as an adult pursuant to Section 7303-4.3 of this title and convicted of a felony;

5. "Person responsible for a child's health, safety or welfare" includes a parent; a legal guardian; a custodian; a foster parent; a person eighteen (18) years of age or older with whom the child's parent cohabitates or any other adult residing in the home of the child; an agent or employee of a public or private residential home, institution, facility or day treatment program as defined in Section 175.20 of this title; or an owner, operator, or employee of a child care facility as defined by Section 402 of this title;

6. "Sexual abuse" includes, but is not limited to, rape, incest and lewd or indecent acts or proposals made to a child, as defined by law, by a person responsible for the child's health, safety or welfare;

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

7. “Sexual exploitation” includes, but is not limited to, allowing, permitting, or encouraging a child to engage in prostitution, as defined by law, by a person responsible for the child's health, safety or welfare or allowing, permitting, encouraging, or engaging in the lewd, obscene, or pornographic photographing, filming, or depicting of a child in those acts as defined by the state law, by a person responsible for the child's health, safety or welfare;

8. “Multidisciplinary child abuse team” means any freestanding team established pursuant to the provisions of Section 7110 of this title. For purposes of this definition, “freestanding” means a team not used by a child advocacy center for its accreditation;

9. "Child advocacy center" means a center and the multidisciplinary child abuse team of which it is a member that is accredited by the National Children's Alliance ~~and~~ <u>or that is completing a sixth year of reaccreditation. Child advocacy centers</u> shall be classified, based on the child population of a district attorney’s district, as follows:

a. nonurban centers in districts with child populations that are less than sixty thousand (60,000),

b. mid-level nonurban centers in districts with child populations equal to or greater than sixty thousand (60,000), but not including Oklahoma and Tulsa Counties, and

c. urban centers in Oklahoma and Tulsa Counties.

10. “Assessment” means a systematic process utilized by the Department of Human Services to respond to reports of alleged child abuse or neglect which, according to priority guidelines established by the Department, do not constitute a serious and

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 immediate threat to the child's health, safety or welfare. The assessment includes, but is
2 not limited to, the following elements:
3 a. an evaluation of the child's safety, and
4 b. a determination regarding the family's need for services;
5 11. "Investigation" means an approach utilized by the Department to respond to
6 reports of alleged child abuse or neglect which, according to priority guidelines
7 established by the Department, constitute a serious and immediate threat to the child's
8 health or safety. An investigation includes, but is not limited to, the following elements:
9 a. an evaluation of the child's safety or welfare,
10 b. a determination whether or not child abuse or neglect occurred, and
11 c. a determination regarding the family's need for prevention and
12 intervention-related services;
13 12. "Services not needed determination" means a report in which a child protective
14 services worker, after an investigation, determines that there is no identified risk of
15 abuse or neglect;
16 13. "Services recommended determination" means a report in which a child
17 protective services worker, after an investigation, determines the allegations to be
18 unfounded or for which there is insufficient evidence to fully determine whether child
19 abuse or neglect has occurred, but one in which the Department determines that the
20 child and the child's family could benefit from receiving prevention and intervention-
21 related services;

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

14. “Confirmed report - services recommended” means a report which is determined by a child protective services worker, after an investigation and based upon some credible evidence, to constitute child abuse or neglect which is of such a nature that the Department recommends prevention and intervention-related services for the parents or persons responsible for the care of the child or children, but for which initial court intervention is not required;

15. “Confirmed report - court intervention” means a report which is determined by a child protective services worker, after an investigation and based upon some credible evidence, to constitute child abuse or neglect which is of such a nature that the Department finds that the child's health, safety or welfare is threatened;

16. “Child protective services worker” means a person employed by the Department of Human Services with sufficient experience or training as determined by the Department in child abuse prevention and identification;

17. “Department” means the Department of Human Services;

18. “Commission” means the Commission for Human Services; and

19. “Prevention and intervention-related services” means community-based programs that serve children and families on a voluntary and time-limited basis to help reduce the likelihood or incidence of child abuse and neglect.

SECTION 2. AMENDATORY 10 O.S. 2001, Section 7307-1.4, as amended by Section 2, Chapter 53, O.S.L. 2005 (10 O.S. Supp. 2006, Section 7307-1.4), is amended to read as follows:

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

Section 7307-1.4 A. Juvenile court records which are confidential may be inspected, and their contents shall be disclosed, without a court order to the following persons upon showing of proper credentials and pursuant to lawful duties:

1. The judge having the child currently before the court in any proceeding pursuant to the Oklahoma Juvenile Code, or any judge of the district court or tribal court to which such proceedings may be transferred;

2. Employees and officers of the court in the performance of their duties, including but not limited to guardians ad litem appointed by the court;

3. Members of review boards established pursuant to Sections 1116.2 and 1116.6 of this title. In addition to juvenile court records, any member of such review boards may inspect, without a court order, information including but not limited to:

a. psychological and medical records,

b. placement history and information, including the names and addresses of foster parents,

c. family assessments,

d. treatment or service plans, and

e. school records;

4. A district attorney and the employees of an office of a district attorney in the course of their official duties;

5. The attorney representing a child who is the subject of a juvenile proceeding pursuant to the provisions of this chapter. The attorney representing a child or considering representing a child in a juvenile proceeding may also access other records

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

listed in subsection A of Section 7307-1.2 of this title for use in the legal representation of the child;

6. Employees of juvenile bureaus in the course of their official duties;

7. Employees of the Department of Juvenile Justice in the course of their official duties;

8. Employees of a law enforcement agency in the course of their official duties pertaining to the investigation of a crime committed or alleged to have been committed by a person under eighteen (18) years of age. Records or information disclosed pursuant to this paragraph may consist of summaries or may be limited to the information or records necessary for the purpose of the investigation;

9. The Oklahoma Commission on Children and Youth;

10. The Department of Juvenile Justice or other public or private agency or any individual having court-ordered custody or custody pursuant to Department of Juvenile Justice placement of the child who is the subject of the record;

11. The Department of Human Services;

12. The child who is the subject of the record and the parents, legal guardian, legal custodian or foster parent of said child;

13. Any federally recognized Indian tribe in which the child who is the subject of the record is a member, or is eligible to become a member of the tribe due to the child being the biological child of a member of an Indian tribe pursuant to the Federal Indian Child Welfare Act, P.L. 95-608, and the Oklahoma Indian Child Welfare Act; provided such Indian tribe member, in the course of official duties:

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

a. is investigating a report of known or suspected child abuse or neglect or crimes against children or for the purpose of determining whether to place a child in protective custody, or

b. is providing services to or for the benefit of a child including but not limited to protective, emergency, social and medical services;

14. Any federally recognized Indian tribe in which the tribe, the tribal court or the tribal child welfare program has asserted jurisdiction or intervened in any case in which the child is the subject of the proceedings or is a party to the proceedings pursuant to the authority provided in the Oklahoma Indian Child Welfare Act.

The records that are to be provided to Indian tribes pursuant to the provisions of this subsection shall include all case records, reports and documents as defined in this chapter;

15. The Governor or to any person the Governor designates, in writing;

16. Any federal official of the United States Department of Health and Human Services;

17. Any member of the Legislature, upon the written approval of the Speaker of the House of Representatives or the President Pro Tempore of the Senate;

18. Employees of the Department of Corrections in the course of their official duties;

19. Employees of the United States Probation Office, in the course of their official duties; and

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

20. Domestic violence and sexual assault advocates employed by a certified domestic violence or sexual assault program pursuant to Section ~~3-313~~ 18p-6 of Title ~~43A~~ 74 of the Oklahoma Statutes, working within a law enforcement agency or court in the course of their assigned duties.

B. Records and their contents disclosed without an order of the court as provided by the provisions of this section shall remain confidential. The use of any information shall be limited to the purposes for which disclosure is authorized. It shall be unlawful for any person to furnish any confidential record or disclose any confidential information contained in any juvenile record for commercial, political or any other unauthorized purpose. Any person violating the provisions of this section shall, upon conviction, be guilty of a misdemeanor.

SECTION 3. AMENDATORY 22 O.S. 2001, Section 40.1, as amended by Section 2, Chapter 466, O.S.L. 2002 (22 O.S. Supp. 2006, Section 40.1), is amended to read as follows:

Section 40.1 Upon the preliminary investigation of any rape or forcible sodomy, it shall be the duty of the officer who interviews the victim of the rape or forcible sodomy to inform the victim, or a responsible adult if the victim is a minor child or an incompetent person, of the twenty-four-hour statewide telephone communication service established by the ~~Department of Mental Health and Substance Abuse Services~~ Office of the Attorney General for victims of sexual assault pursuant to Section ~~3-314~~ 18p-5 of Title ~~43A~~ 74 of the Oklahoma Statutes and to give notice to the victim or such responsible

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

adult of certain rights of the victim. The notice shall consist of handing such victim or responsible adult a written statement in substantially the following form:

"As a victim of the crime of rape or forcible sodomy, you have certain rights. These rights are as follows:

1. The right to request that charges be pressed against your assailant;

2. The right to request protection from any harm or threat of harm arising out of your cooperation with law enforcement and prosecution efforts as far as facilities are available and to be provided with information on the level of protection available;

3. The right to be informed of financial assistance and other social services available to victims, including information on how to apply for the assistance and services;

4. The right to a free medical examination for the procurement of evidence to aid in the prosecution of your assailant; and

5. The right to be informed by the district attorney of other victim's rights available pursuant to Section 215.33 of Title 19 of the Oklahoma Statutes."

The written notice shall also include the telephone number of the twenty-four-hour statewide telephone communication service established by the ~~Department of Mental Health and Substance Abuse Services~~ Office of the Attorney General in Section ~~3-314~~ 18p-5 of Title ~~43A~~ 74 of the Oklahoma Statutes.

SECTION 4. AMENDATORY Section 3, Chapter 53, O.S.L. 2005 (22 O.S. Supp. 2006, Section 58), is amended to read as follows:

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

Section 58. A. Criminally injurious conduct, as defined by the Oklahoma Crime Victims Compensation Act, which appears to be or is reported by the victim to be domestic abuse, as defined in Section 60.1 of ~~Title 22 of the Oklahoma Statutes~~ this title, or domestic abuse by strangulation, domestic abuse resulting in great bodily harm, or domestic abuse in the presence of a child, as defined in Section 644 of Title 21 of the Oklahoma Statutes, shall be reported according to the standards for reporting as set forth in subsection B of this section.

B. Except as provided for in Section 7104 of Title 10 of the Oklahoma Statutes, any physician, surgeon, resident, intern, physician's assistant, registered nurse, or any other health care professional examining, attending, or treating the victim of what appears to be domestic abuse or is reported by the victim to be domestic abuse, as defined in Section 60.1 of ~~Title 22 of the Oklahoma Statutes~~ this title, or domestic abuse by strangulation, domestic abuse resulting in great bodily harm, or domestic abuse in the presence of a child, as defined in Section 644 of Title 21 of the Oklahoma Statutes, shall not be required to report any incident of what appears to be or is reported to be domestic abuse, domestic abuse by strangulation, domestic abuse resulting in great bodily harm, or domestic abuse in the presence of a child if:

1. Committed upon the person of an adult who is over the age of eighteen (18) years; and

2. The person is not an incapacitated adult.

C. Any physician, surgeon, resident, intern, physician's assistant, registered nurse, or any other health care professional examining, attending, or treating a victim shall be

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

required to report any incident of what appears to be or is reported to be domestic abuse, domestic abuse by strangulation, domestic abuse resulting in great bodily harm, or domestic abuse in the presence of a child, if requested to do so either orally or in writing by the victim. A report of any incident shall be promptly made orally or by telephone to the nearest law enforcement agency in the county wherein the domestic abuse occurred or, if the location where the conduct occurred is unknown, the report shall be made to the law enforcement agency nearest to the location where the injury is treated.

D. In all cases of what appears to be or is reported to be domestic abuse, the physician, surgeon, resident, intern, physician's assistant, registered nurse, or any other health care professional examining, attending, or treating the victim of what appears to be domestic abuse shall clearly and legibly document the incident and injuries observed and reported, as well as any treatment provided or prescribed.

E. In all cases of what appears to be or is reported to be domestic abuse, the physician, surgeon, resident, intern, physician's assistant, registered nurse, or any other health care professional examining, attending or treating the victim of what appears to be domestic abuse shall refer the victim to domestic violence and victim services programs, including providing the victim with the twenty-four-hour statewide telephone communication service established by Section ~~3-314~~ 18p-5 of Title ~~43A~~ 74 of the Oklahoma Statutes.

F. Every physician, surgeon, resident, intern, physician's assistant, registered nurse, or any other health care professional making a report of domestic abuse pursuant to this section or examining a victim of domestic abuse to determine the likelihood of

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

domestic abuse, and every hospital or related institution in which the victim of domestic abuse was examined or treated shall, upon the request of a law enforcement officer conducting a criminal investigation into the case, provide copies of the results of the examination or copies of the examination on which the report was based, and any other clinical notes, x-rays, photographs, and other previous or current records relevant to the case to the investigating law enforcement officer.

SECTION 5. AMENDATORY Section 1, Chapter 348, O.S.L. 2005 (74 O.S. Supp. 2006, Section 18p-1), is amended to read as follows:

Section 18p-1. A. There is hereby created within the Office of the Attorney General a Victims Services Unit.

B. The duty of the Unit is to provide services for persons who require domestic violence or sexual assault services through a domestic violence or sexual assault program.

C. As used in this act, "domestic violence program" or "sexual assault program" means an agency, organization, facility or person that offers, provides or engages in the offering of any shelter, residential services or support services to:

1. Victims or survivors of domestic abuse as defined in Section 60.1 of Title 22 of the Oklahoma Statutes, any dependent children of such victim or survivor, and any other member of the family or household of such victim or survivor;

2. Victims or survivors of sexual assault;

3. Persons who are homeless as a result of domestic abuse or sexual assault or both domestic abuse and sexual assault; and

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

4. ~~Persons who commit domestic abuse~~ Victims of stalking, and which may provide other services, including, but not limited to, counseling, case management, referrals or other similar services to victims or survivors of domestic abuse, ~~or~~ sexual assault or stalking.

D. As used in this act, "batterers intervention program" or "batterers treatment program" means an agency, organization, facility or person who offers, provides or engages in the offering of counseling or intervention services to persons who commit domestic abuse.

SECTION 6. AMENDATORY Section 3, Chapter 348, O.S.L. 2005 (74 O.S. Supp. 2006, Section 18p-3), is amended to read as follows:

Section 18p-3. A. The Attorney General is hereby authorized and directed to enter into agreements and to contract for the shelter and other services that are needed for victims of domestic abuse, ~~or~~ sexual assault or batterers intervention programs. Any domestic violence, ~~or~~ sexual assault or batterers intervention program providing services pursuant to certification by the Attorney General or a contract or subcontract with the Attorney General and receiving funds from the Attorney General or any contractor with the Attorney General shall be subject to the provisions of the administrative rules of the Attorney General.

B. 1. Except as otherwise provided by paragraph 3 of this subsection, the case records, case files, case notes, client records, or similar records of a domestic violence or sexual assault program certified by the Attorney General or of any employee or trained volunteer of a program regarding an individual who is residing or has resided in such

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

program or who has otherwise utilized or is utilizing the services of any domestic violence or sexual assault program or counselor shall be confidential and shall not be disclosed.

2. For purposes of this subsection, the term "client records" shall include, but not be limited to, all communications, records, and information regarding clients of domestic violence and sexual assault programs.

3. The case records, case files, or case notes of programs specified in paragraph 1 of this subsection shall be confidential and shall not be disclosed except with the written consent of the individual, or in the case of the individual's death or disability, of the individual's personal representative or other person authorized to sue on the individual's behalf or by court order for good cause shown by the judge in camera.

C. The district court shall not order the disclosure of the address of a domestic violence shelter, the location of any person seeking or receiving services from a domestic violence or sexual assault program, or any other information which is required to be kept confidential pursuant to subsection B of this section.

D. The home address, personal telephone numbers and social security number of board members, staff and volunteers of certified domestic violence and sexual assault programs shall not be construed to be open records pursuant to the Oklahoma Open Records Act.

SECTION 7. AMENDATORY Section 6, Chapter 348, O.S.L. 2005 (74 O.S. Supp. 2006, Section 18p-6), is amended to read as follows:

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

Section 18p-6. A. Effective July 1, 2005, all administrative rules promulgated by the Department of Mental Health and Substance Abuse Services relating to domestic violence and sexual assault programs shall be transferred to and become a part of the administrative rules of the Office of the Attorney General. The Office of Administrative Rules in the Secretary of State's office shall provide adequate notice in the Oklahoma Register of the transfer of such rules, and shall place the transferred rules under the Administrative Code section of the Attorney General. Such rules shall continue in force and effect as rules of the Office of the Attorney General from and after July 1, 2005, and any amendment, repeal or addition to the transferred rules shall be under the jurisdiction of the Attorney General.

B. The Attorney General shall adopt and promulgate rules and standards for certification of <u>batterers intervention and</u> domestic violence programs and for private facilities and organizations which offer domestic and sexual assault services in this state. These facilities shall be known as "certified domestic violence shelters" or "certified domestic violence programs" or "certified sexual assault programs" or "certified treatment programs for batterers", as applicable.

C. Applications for certification as a certified domestic violence shelter, domestic violence program, sexual assault program or treatment program for batterers, pursuant to the provisions of this section, shall be made to the Office of the Attorney General on prescribed forms. The Attorney General may certify the shelter or program for a period of three (3) years subject to renewal as provided in the rules promulgated by the Attorney General. Nothing in this section shall preclude the Office of the Attorney General from

<u>UNDERLINED</u> language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 making inspection visits to a shelter or program to determine contract or program
2 compliance.
3 D. Licensed physicians, licensed psychologists, licensed social workers, individual
4 members of the clergy, licensed marital and family therapists, licensed behavioral
5 practitioners, and licensed professional counselors shall be exempt from certification
6 requirements; provided, however, these exemptions shall only apply to individual
7 professional persons in private practice and not to any domestic violence program or
8 sexual assault program operated by such person.
9 E. Facilities providing services for persons who commit domestic abuse, victims or
10 survivors of domestic abuse or sexual assault and any dependent children of such victims
11 or survivors shall comply with standards promulgated by the Attorney General;
12 provided, that the certification requirements and standards promulgated by the Attorney
13 General shall not apply to programs and services offered by the Department of Health,
14 the Department of Mental Health and Substance Abuse Services, the Department of
15 Corrections or the Department of Human Services. The batterers intervention, domestic
16 violence or sexual assault programs certified pursuant to the provisions of this section
17 shall cooperate with inspection personnel of this state and shall promptly file all reports
18 required by the Attorney General. Failure to comply with rules and standards of the
19 Attorney General shall be grounds for revocation of certification, after proper notice and
20 hearing.

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

F. The Attorney General is hereby authorized to collect from each applicant the sum of One Hundred Fifty Dollars ($150.00) to help defray the costs incurred in the certification process.

SECTION 8. AMENDATORY Section 7, Chapter 348, O.S.L. 2005 (74 O.S. Supp. 2006, Section 18p-7), is amended to read as follows:

Section 18p-7. A. The Attorney General or any district attorney, in such person's discretion, may bring an action for an injunction against any <u>batterers intervention,</u> domestic violence program or sexual assault program found to be in violation of the provisions of ~~Title 74 of the Oklahoma Statutes~~ <u>this title</u> or of any order or determination of the Attorney General.

B. In any action for an injunction brought pursuant to this section, any findings of the Attorney General or district attorney, after hearing and due notice, shall be prima facie evidence of the facts found therein.

SECTION 9. This act shall become effective November 1, 2007.

COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY, dated 04-17-07 - DO PASS, As Amended.

<u>UNDERLINED</u> language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.