

THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2008

House Bill No. 2749

HOUSE BILL NO. 2749 - By: WINCHESTER of the House and MAZZEI of the Senate.

An Act relating to children; creating the Adoption Review Task Force; providing for membership; providing for appointment of cochairs; providing for vacancies; directing travel reimbursement; providing for administrative support; specifying duties; requiring certain reports; providing for noncodification; providing an effective date; and declaring an emergency.

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

1 SECTION 1. NEW LAW A new section of law not to be codified in the
2 Oklahoma Statutes reads as follows:

3 A. There is hereby created, to continue until December 31, 2009, the “Adoption
4 Review Task Force”.

5 B. The Task Force shall consist of thirteen (13) members:

6 1. Four members shall be appointed by the Governor as follows:

7 a. one member shall be a presiding judge of a court having adoption law
8 jurisdiction from a rural county,

9 b. one member shall be a presiding judge of a court having adoption law
10 jurisdiction from an urban county,

11 c. one member shall be a law professor from one of the law schools in this
12 state, and

1 d. one member shall have specialized knowledge of information systems
2 and technology;

3 2. Four members shall be appointed by the Speaker of the Oklahoma House of
4 Representatives as follows:

5 a. one member shall be a licensed mental health professional with
6 specialized knowledge of adoption issues, foster care, and social work,

7 b. one member shall be from an adoption advocacy group,

8 c. one member shall be an attorney practicing in the area of adoption law
9 who is an active member of the Family Law Section of the Oklahoma
10 Bar Association, and

11 d. one member shall be from the Oklahoma House of Representatives;

12 3. Four members shall be appointed by the President Pro Tempore of the Senate as
13 follows:

14 a. one member shall be a director of a private, for-profit, licensed child-
15 placing agency,

16 b. one member shall be a director of a private, not-for-profit, licensed
17 child-placing agency,

18 c. one member shall be a public defender, and

19 d. one member shall be from the Senate; and

20 4. The Director of the Department of Human Services, or a designee.

21 C. The appointed member from the Oklahoma House of Representatives and the

22 appointed member from the State Senate shall serve as cochair of the Task Force. The

1 cochairs shall convene the first meeting of the Task Force. The members of the Task
2 Force shall elect any other officers during the first meeting and upon a vacancy in any
3 office. Vacancies of members on the Task Force shall be filled by the original appointing
4 authority. The Task Force shall meet as often as necessary.

5 D. Appointments to the Task Force shall be made by September 1, 2008.

6 E. A majority of the members of the Task Force shall constitute a quorum. A
7 majority of the members present at a meeting may act for the Task Force.

8 F. Nonlegislative members of the Task Force shall be reimbursed by their
9 respective agencies for necessary travel expenses incurred in the performance of duties
10 pursuant to the provisions of the State Travel Reimbursement Act. Legislative members
11 of the Task Force shall be reimbursed for necessary travel expenses incurred in the
12 performance of duties in accordance with the provisions of Section 456 of Title 74 of the
13 Oklahoma Statutes.

14 G. Administrative support for the Task Force including, but not limited to,
15 personnel necessary to ensure the proper performance of the duties and responsibilities
16 of the Task Force shall be provided by the Department of Human Services to be
17 supplemented, if necessary, by the state agencies involved in the Task Force, and the
18 staff of the Oklahoma House of Representatives and the Senate. All participating state
19 agencies shall provide for any administrative support requested by the Task Force.

20 H. The Task Force shall study and make recommendations concerning the laws
21 and practices relating to adoption. The Task Force shall review and make
22 recommendations regarding:

- 1 1. Allowable expenses paid by adoptive parents for the benefit of the birth parents;
- 2 2. Documentation evidencing a detailed accounting and full disclosure of all monies
- 3 expended for adoptions including, but not limited to:
 - 4 a. birth mother expenses,
 - 5 b. agency fees,
 - 6 c. social services fees, and
 - 7 d. attorney fees;
- 8 3. Procedures concerning the approval of expenses including, but not limited to:
 - 9 a. a mandatory hearing for uncommon expenses paid, and
 - 10 b. a time limit for the approval of expenses;
- 11 4. The potential role of public defenders in adoption proceedings;
- 12 5. Procedures to ensure accuracy in the assessment of whether a child has Native
- 13 American blood;
- 14 6. Information that should be required to be given to all parties involved in the
- 15 adoption;
- 16 7. The standardization of the reporting of the number of adoptions finalized in
- 17 Oklahoma;
- 18 8. Jurisdictional issues with respect to adoptions;
- 19 9. The use of technology to aid in the facilitation of adoptions;
- 20 10. The appointment of an advocate for the birth mother;
- 21 11. Confidentiality considerations; and
- 22 12. Industry advertising practices.

1 I. The Task Force shall publish an initial report of findings and recommendations
2 by December 31, 2008, and a final report by December 31, 2009, including
3 recommendations for any resulting legislation.

4 SECTION 2. This act shall become effective July 1, 2008.

5 SECTION 3. It being immediately necessary for the preservation of the public
6 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
7 this act shall take effect and be in full force from and after its passage and approval.

8 COMMITTEE REPORT BY: COMMITTEE ON HUMAN SERVICES, dated 02-25-08 -
9 DO PASS, As Coauthored.