

EHB 2749

1 THE STATE SENATE
2 Thursday, April 3, 2008

3 ENGROSSED

4 House Bill No. 2749

5 ENGROSSED HOUSE BILL NO. 2749 - By: Winchester, McAffrey and
6 Rousselot of the House and Mazzei of the Senate.

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

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

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

17 A. There is hereby created, to continue until December 31,
18 2009, the "Adoption Review Task Force".

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

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

- 21 a. one member shall be a presiding judge of a court
- 22 having adoption law jurisdiction from a rural county,
- 23 b. one member shall be a presiding judge of a court
- 24 having adoption law jurisdiction from an urban county,
- 25 c. one member shall be a law professor from one of the
- 26 law schools in this state, and

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

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

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

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

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

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

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

16 a. two members shall be directors of licensed child-
17 placing agencies,

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

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

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

22 C. The appointed member from the Oklahoma House of
23 Representatives and the appointed member from the State Senate shall

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

7 D. Appointments to the Task Force shall be made by September 1,
8 2008.

9 E. A majority of the members of the Task Force shall constitute
10 a quorum. A majority of the members present at a meeting may act
11 for the Task Force.

12 F. Nonlegislative members of the Task Force shall be reimbursed
13 by their respective agencies for necessary travel expenses incurred
14 in the performance of duties pursuant to the provisions of the State
15 Travel Reimbursement Act. Legislative members of the Task Force
16 shall be reimbursed for necessary travel expenses incurred in the
17 performance of duties in accordance with the provisions of Section
18 456 of Title 74 of the Oklahoma Statutes.

19 G. Administrative support for the Task Force including, but not
20 limited to, personnel necessary to ensure the proper performance of
21 the duties and responsibilities of the Task Force shall be provided
22 by the Department of Human Services to be supplemented, if
23 necessary, by the state agencies involved in the Task Force, and the

1 staff of the Oklahoma House of Representatives and the Senate. All
2 participating state agencies shall provide for any administrative
3 support requested by the Task Force.

4 H. The Task Force shall study and make recommendations
5 concerning the laws and practices relating to adoption. The Task
6 Force shall review and make recommendations regarding:

7 1. Allowable expenses paid by adoptive parents for the benefit
8 of the birth parents;

9 2. Documentation evidencing a detailed accounting and full
10 disclosure of all monies expended for adoptions including, but not
11 limited to:

- 12 a. birth mother expenses,
- 13 b. agency fees,
- 14 c. social services fees, and
- 15 d. attorney fees;

16 3. Procedures concerning the approval of expenses including,
17 but not limited to:

- 18 a. a mandatory hearing for uncommon expenses paid, and
- 19 b. a time limit for the approval of expenses;

20 4. The potential role of public defenders in adoption
21 proceedings;

22 5. Procedures to ensure accuracy in the assessment of whether a
23 child has Native American blood;

1 6. Information that should be required to be given to all
2 parties involved in the adoption;

3 7. The standardization of the reporting of the number of
4 adoptions finalized in Oklahoma;

5 8. Jurisdictional issues with respect to adoptions;

6 9. The use of technology to aid in the facilitation of
7 adoptions;

8 10. The appointment of an advocate for the birth mother;

9 11. Confidentiality considerations; and

10 12. Industry advertising practices.

11 I. The Task Force shall publish an initial report of findings
12 and recommendations by December 31, 2008, and a final report by
13 December 31, 2009, including recommendations for any resulting
14 legislation.

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

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

20 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 4-1-08 - DO PASS.