

ENROLLED HOUSE
BILL NO. 2032

By: Steele, Sherrer, McAffrey,
Kern, Pittman, Wright
(Harold) and McDaniel
(Jeannie) of the House

and

Justice of the Senate

An Act relating to children; amending 10 O.S. 2001, Section 601.6, as last amended by Section 1, Chapter 293, O.S.L. 2008 (10 O.S. Supp. 2008, Section 601.6), which relates to the Office of Juvenile System Oversight; specifying type of monitoring to be performed by the Office; modifying number of unannounced inspections of certain facilities; modifying certain duty of the Office; and providing an effective date.

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

SECTION 1. AMENDATORY 10 O.S. 2001, Section 601.6, as last amended by Section 1, Chapter 293, O.S.L. 2008 (10 O.S. Supp. 2008, Section 601.6), is amended to read as follows:

Section 601.6 A. The Office of Juvenile System Oversight shall have the responsibility of investigating and reporting misfeasance and malfeasance within the children and youth service system, inquiring into areas of concern, investigating complaints filed with the Office of Juvenile System Oversight, and performing issue-specific systemic monitoring as directed by the Commission on Children and Youth of the children and youth service system to ascertain compliance with established responsibilities.

It shall be the duty of the Office of Juvenile System Oversight to conduct not less than one but not more than two regular,

periodic, ~~but not less than semiannual~~, unannounced inspections of state-operated children's institutions and facilities and to review the reports of the inspections of the State Fire Marshal and the Department of Health and any agencies which accredit such institutions and facilities.

B. The Office of Juvenile System Oversight shall:

1. Have the authority to examine and copy all records and budgets pertaining to the children and youth service system and to interview the residents of such facilities and shall have access to all facilities within the children and youth service system for the purpose of conducting ~~site visits and speaking with the residents of such facilities~~ systemic oversight and complaint investigations;

2. Have the authority to subpoena witnesses and hold public hearings;

3. Establish, in accordance with the Dispute Resolution Act, Sections 1801 through 1813 of Title 12 of the Oklahoma Statutes, a voluntary program for foster parents to mediate complaints concerning the rights of foster parents, as provided for in Section 7206.1 of this title, that relate to certain actions, inactions or decisions of the Department of Human Services, the Department of Juvenile Justice, or child-placing agencies that may adversely affect the safety and well-being of children in the custody of the state;

4. Issue reports to the Governor, Speaker of the House of Representatives, President Pro Tempore of the Senate, Chief Justice of the Supreme Court of the State of Oklahoma, any appropriate prosecutorial agency, the director of the agency under consideration⁺, ~~and such~~ other persons as necessary and appropriate; and

5. Provide recommendations to the Oklahoma Commission on Children and Youth on or before May 1 of each year.

C. The Office of Juvenile System Oversight shall not release information that would identify a person who makes a complaint to ~~such~~ the Office, unless a court of competent jurisdiction orders release of the information for good cause shown.

SECTION 2. This act shall become effective November 1, 2009.

Passed the House of Representatives the 3rd day of March, 2009.

Presiding Officer of the House of
Representatives

Passed the Senate the 15th day of April, 2009.

Presiding Officer of the Senate