

THE HOUSE OF REPRESENTATIVES
Monday, February 15, 2010

House Joint
Resolution No. 1065

HOUSE JOINT RESOLUTION NO. 1065 - By: PETERS of the House and ANDERSON AND CRAIN of the Senate.

A Joint Resolution relating to juvenile justice; creating the Oklahoma Juvenile Justice Reform Committee; requiring certain cooperation; specifying membership of Committee; directing notification of membership; permitting Committee to divide into subcommittees; authorizing the Committee to enter into certain contracts; providing for vacancies on the Committee; specifying duties of Committee; directing the Committee to prepare and submit certain report; providing for termination of Committee; directing appointment of cochairs and other officers; permitting certain travel reimbursement; providing for staff support; providing for noncodification; and declaring an emergency.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

- 1 SECTION 1. NEW LAW A new section of law not to be codified in the
2 Oklahoma Statutes reads as follows:
- 3 A. The Legislature hereby establishes the Oklahoma Juvenile Justice Reform
4 Committee and directs the Committee to undertake a full, good faith and thorough study
5 of Oklahoma's juvenile justice system and to make recommended revisions to the
6 Oklahoma Juvenile Code in Title 10A of the Oklahoma Statutes and any other statutes
7 necessary to accomplish its purpose.

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1 B. All departments, officers, agencies and employees of this state shall cooperate
2 with the Oklahoma Juvenile Justice Reform Committee in carrying out its duties and
3 responsibilities, including providing any information, records and reports as may be
4 requested by the cochairs of the Committee.

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

7 A. The Committee shall consist of twenty (20) members appointed as follows:

8 1. Two members who are presiding judges of a court having juvenile law
9 jurisdiction to be appointed by the President of the Oklahoma Judicial Conference. One
10 of the judges shall be in a county having a juvenile bureau;

11 2. Two members who are district attorneys or assistant district attorneys having
12 experience in cases involving juveniles to be appointed by the President of the District
13 Attorneys Council;

14 3. One member who is an attorney appointed by the Oklahoma Indigent Defense
15 System to represent juveniles charged with crimes or delinquent acts to be appointed by
16 the Director of the Oklahoma Indigent Defense System;

17 4. One member who is a practicing attorney who regularly represents juveniles
18 charged with crimes or delinquent acts to be appointed by the President of the Oklahoma
19 Bar Association;

20 5. Two members who are employees of the Department of Mental Health and
21 Substance Abuse Services to be appointed by the Commissioner of Mental Health and
22 Substance Abuse Services, one of whom shall be an attorney;

1 6. Two members who are employees of the Office of Juvenile Affairs to be appointed
2 by the Executive Director of the Office of Juvenile Affairs, one of whom shall be an
3 attorney;

4 7. One member to be appointed by the Director of the Oklahoma Commission on
5 Children and Youth;

6 8. Three members to be appointed by the Speaker of the House of Representatives;

7 9. Three members to be appointed by the President Pro Tempore of the Senate;

8 10. One member who is an executive director of a Youth Services Agency to be
9 appointed by the Speaker of the House of Representatives;

10 11. One member who is a child advocate to be appointed by the President Pro
11 Tempore of the Senate; and

12 12. One member who is an executive director of an alcohol and drug abuse
13 treatment facility that serves juveniles to be appointed by the Speaker of the House of
14 Representatives.

15 B. Each member of the Oklahoma Juvenile Justice Reform Committee initially
16 appointed shall make the appointment known to the Speaker of the House of
17 Representatives and the President Pro Tempore of the Senate by June 30, 2010.
18 Appointed members shall serve until December 31, 2011. The Oklahoma Juvenile
19 Justice Reform Committee may divide into subcommittees in furtherance of its purposes.

20 C. The Oklahoma Juvenile Justice Reform Committee may contract with such
21 consultant or consultants as it deems necessary to accomplish its purposes as funds are
22 available.

1 D. Any vacancies in the appointive membership of the Oklahoma Juvenile Justice
2 Reform Committee shall be filled for the unexpired term in the same manner as the
3 original appointment.

4 SECTION 3. NEW LAW A new section of law not to be codified in the
5 Oklahoma Statutes reads as follows:

6 A. The Oklahoma Juvenile Justice Reform Committee shall conduct a systematic
7 review and study of:

8 1. Oklahoma's juvenile justice system, including its efficiency and effectiveness in
9 protecting the public and habilitating and rehabilitating juveniles; and

10 2. All laws and procedures in Title 10A of the Oklahoma Statutes or other laws
11 affecting the juvenile justice system, including the laws relating to youthful offenders,
12 certification and reverse certification of juveniles.

13 B. The Oklahoma Juvenile Justice Reform Committee shall prepare a report of its
14 recommendations and a recommended draft to reclassify, update, reform and recodify the
15 statutes pertaining to juveniles. The duties of the Committee in preparing
16 recommendations shall be as follows:

17 1. To study, report and recommend the most efficient organization and effective
18 programs to accomplish the public safety, treatment and prevention goals of the juvenile
19 justice system;

20 2. To study, report and recommend the most effective system for transitioning
21 persons aging out of the juvenile justice system;

1 3. To organize the Oklahoma Juvenile Code to effectively implement the goals of
2 the juvenile justice system including persons aging out the juvenile justice system;

3 4. To incorporate into the Oklahoma Juvenile Code as many existing statutes
4 relating to juvenile law and procedure found throughout the Oklahoma Statutes as is
5 practicable;

6 5. To clarify and update existing statutory language; and

7 6. To perform any other act necessary to complete the purposes of the Committee.

8 C. The Oklahoma Juvenile Justice Reform Committee shall be responsible for
9 drafting recommended legislation in accordance with the current legislative drafting
10 procedures.

11 D. 1. The Oklahoma Juvenile Justice Reform Committee shall prepare a final draft
12 of its report and recommendations together with its recommended changes in the
13 Oklahoma Juvenile Code, and shall submit them to the Speaker of the House of
14 Representatives and the President Pro Tempore of the Senate by December 1, 2011.

15 2. The Oklahoma Juvenile Justice Reform Committee shall submit a summary of
16 every recommended change and addition to existing laws at the time any amendments
17 are presented to the Speaker of the House of Representatives and the President Pro
18 Tempore of the Senate.

19 E. The Oklahoma Juvenile Justice Reform Committee shall cease to function
20 December 31, 2011.

21 SECTION 4. NEW LAW A new section of law not to be codified in the
22 Oklahoma Statutes reads as follows:

1 A. Within fifteen (15) days from the initial appointment of membership on the
2 Oklahoma Juvenile Justice Reform Committee, the Speaker of the House of
3 Representatives and the President Pro Tempore of the Senate shall each appoint one
4 member of the Committee to serve as cochairs. If a vacancy occurs in such office, a new
5 cochair shall be appointed from the Committee in the same manner as the original
6 appointment, who shall serve until December 31, 2010.

7 B. Other officers may be elected to serve on the Committee for terms of office as
8 may be designated by the Committee members. The cochairs of the Committee or their
9 designees shall preside at meetings.

10 C. The Committee may meet at least one time per month and at such other times
11 as may be set by the cochairs of the Committee.

12 D. Members of the Committee shall receive no salary; however, all members of the
13 Committee shall be reimbursed for their actual and necessary travel expenses as follows:

14 1. Legislative members of the Committee shall receive reimbursement from the
15 house in which they serve as provided in Section 456 of Title 74 of the Oklahoma
16 Statutes, except when the Legislature is in session and the meeting is held in Oklahoma
17 City;

18 2. Nonlegislative Committee members employed by the state shall be reimbursed
19 by their respective employing agency pursuant to the State Travel Reimbursement Act;
20 and

21 3. Any other Committee member shall receive reimbursement from the appointing
22 entity pursuant to the State Travel Reimbursement Act.

1 E. A majority of the members appointed to the Committee shall constitute a
2 quorum and a majority present may act for the Committee.

3 SECTION 5. NEW LAW A new section of law not to be codified in the
4 Oklahoma Statutes reads as follows:

5 The House of Representatives and the Senate shall provide staff assistance to the
6 Oklahoma Juvenile Justice Reform Committee as necessary to assist the Committee in
7 the performance of its duties.

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

11 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02-11-10 - DO PASS, As
12 Coauthored.