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THE STATE SENATE
Monday, April 5, 2010

ENGROSSED

House Joint
Resolution No. 1065

ENGROSSED HOUSE JOINT RESOLUTION NO. 1065 - By: Peters and Billy 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:

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

A. The Legislature hereby establishes the Oklahoma Juvenile Justice Reform Committee and directs the Committee to undertake a full, good faith and thorough study of Oklahoma's juvenile justice system and to make recommended revisions to the Oklahoma Juvenile Code in Title 10A of the Oklahoma Statutes and any other statutes necessary to accomplish its purpose.

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

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

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

10 1. Two members who are presiding judges of a court having
11 juvenile law jurisdiction to be appointed by the President of the
12 Oklahoma Judicial Conference. One of the judges shall be in a
13 county having a juvenile bureau and one judge shall be from a county
14 without a juvenile bureau;

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

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

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

4 5. Two members who are employees of the Office of Juvenile
5 Affairs to be appointed by the Executive Director of the Office of
6 Juvenile Affairs;

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

9 7. Three members to be appointed by the Speaker of the House of
10 Representatives;

11 8. Three members to be appointed by the President Pro Tempore
12 of the Senate;

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

16 10. One member representing an Oklahoma nonprofit organization
17 whose membership consists solely of youth services agencies and of
18 whom at least a majority of youth services agencies are members to
19 be appointed by the President Pro Tempore of the Senate;

20 11. One member from a publicly operated local workforce
21 investment area to be appointed by the President Pro Tempore of the
22 Senate.

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

4 13. One member appointed by the State Superintendent of Public
5 Instruction with experience in alternative education.

6 B. Each member of the Oklahoma Juvenile Justice Reform
7 Committee initially appointed shall make the appointment known to
8 the Speaker of the House of Representatives and the President Pro
9 Tempore of the Senate by June 30, 2010. Appointed members shall
10 serve until December 31, 2011. The Oklahoma Juvenile Justice Reform
11 Committee may divide into subcommittees in furtherance of its
12 purposes.

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

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

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

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

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

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

8 B. The Oklahoma Juvenile Justice Reform Committee shall prepare
9 a report of its recommendations and a recommended draft to
10 reclassify, update, reform and recodify the statutes pertaining to
11 juveniles. The duties of the Committee in preparing recommendations
12 shall be as follows:

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

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

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

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

1 5. To clarify and update existing statutory language; and
2 6. To perform any other act necessary to complete the purposes
3 of the Committee.

4 C. The Oklahoma Juvenile Justice Reform Committee shall be
5 responsible for drafting recommended legislation in accordance with
6 the current legislative drafting procedures.

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

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

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

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

20 A. Within fifteen (15) days from the initial appointment of
21 membership on the Oklahoma Juvenile Justice Reform Committee, the
22 Speaker of the House of Representatives and the President Pro
23 Tempore of the Senate shall each appoint one member of the Committee

1 to serve as cochairs. If a vacancy occurs in such office, a new
2 cochair shall be appointed from the Committee in the same manner as
3 the original appointment, who shall serve until December 31, 2010.

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

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

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

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

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

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

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

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

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

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

13 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 3-30-10 - DO
14 PASS.