

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 2274

By: Russell

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5
6 AS INTRODUCED

7 An Act relating to children; amending 10 O.S. 2001,
8 Section 7505-5.1, as last amended by Section 3,
9 Chapter 288, O.S.L. 2009 (10 O.S. Supp. 2009, Section
10 7505-5.1), which relates to home study; establishing
11 exemption from home study under certain
12 circumstances; and declaring an emergency.

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

14 SECTION 1. AMENDATORY 10 O.S. 2001, Section 7505-5.1, as
15 last amended by Section 3, Chapter 288, O.S.L. 2009 (10 O.S. Supp.
16 2009, Section 7505-5.1), is amended to read as follows:

17 Section 7505-5.1 A. Except as otherwise provided in this
18 section, only a person for whom a favorable written preplacement
19 home study has been prepared may accept custody of a minor for
20 purposes of adoption. A preplacement home study is favorable if it
21 contains a finding that the person is suited to be an adoptive
22 parent, either in general or for a particular minor, and it is
23 completed or brought current within twelve (12) months next
24 preceding a placement of a minor with the person for adoption.

1 B. A preplacement home study is not required if a parent or
2 guardian places a minor directly with a relative of the minor for
3 purposes of adoption, or if the minor has been residing with a birth
4 parent's spouse for not less than one (1) year as of the date the
5 petition for adoption is filed, but a home study of the relative or
6 stepparent is required during the pendency of a proceeding for
7 adoption. If the minor resides with a birth parent and the birth
8 parent's spouse and the stepparent has filed a petition for
9 adoption, no home study shall be required.

10 C. A prospective adoptive parent shall not be approved for
11 placement of a child if the petitioners or any other person residing
12 in the home of the petitioners has been convicted of any of the
13 following felony offenses:

14 1. Within the five-year period preceding the date of the
15 petition, physical assault, domestic abuse, battery or a drug-
16 related offense;

17 2. Child abuse or neglect;

18 3. A crime against a child, including, but not limited to,
19 child pornography; and

20 4. A crime involving violence, including, but not limited to,
21 rape, sexual assault or homicide, but excluding those crimes
22 specified in paragraph 1 of this subsection.

23 D. Under no circumstances shall a child be placed in the
24 custody of an individual subject to the Oklahoma Sex Offenders

1 Registration Act or an individual who is married to or living with
2 an individual subject to the Oklahoma Sex Offenders Registration
3 Act.

4 SECTION 2. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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