

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 557

By: Anderson

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5
6 AS INTRODUCED

7 An Act relating to juvenile justice; creating the
8 Oklahoma Juvenile Justice Reform Committee; requiring
9 certain cooperation; specifying membership of
10 Committee; directing notification of membership;
11 permitting Committee to divide into subcommittees;
12 authorizing the Committee to enter into certain
13 contracts; providing for vacancies on the Committee;
14 specifying duties of committee; directing the
15 Committee to prepare and submit certain report;
16 providing for termination of committee; directing
17 appointment of co-chairs and other officers;
18 permitting certain travel reimbursement; providing for
19 staff support; providing for noncodification; and
20 declaring an emergency.

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

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

24 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
Justice Code in Title 10 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 by
5 the co-chairs 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 county
13 having a juvenile bureau;

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

18 3. One member who is a public defender who regularly represents
19 juveniles charged with crimes or delinquent acts to be appointed by
20 the Director of the Oklahoma Indigent Defense System;

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

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

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

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

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

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

14 10. One member who is an executive director of a Youth Services
15 Agency to be appointed by the Oklahoma Association of Youth Services;

16 11. One member who is a child advocate to be appointed by the
17 Oklahoma Institute for Child Advocacy; and

18 12. One member who is an executive director of an alcohol and
19 drug abuse treatment facility that serves juveniles to be appointed
20 by the Oklahoma Substance Abuse Services Alliance.

21 B. Each member of the Oklahoma Juvenile Justice Reform Committee
22 initially appointed shall make the appointment known to the Speaker
23 of the House of Representatives and the President Pro Tempore of the
24 Senate by June 30, 2009. Appointed members shall serve until

1 December 31, 2010. The Oklahoma Juvenile Justice Reform Committee
2 may divide into subcommittees in furtherance of its purposes.

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

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

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

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

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

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

20 B. The Juvenile Justice Reform Committee shall prepare a report
21 of its recommendations and a recommended draft to reclassify, update,
22 reform and re-codify the statutes pertaining to juveniles. The
23 duties of the Committee in preparing recommendations shall be as
24 follows:

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

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

6 3. To organize the juvenile code to effectively implement the
7 goals of the juvenile justice system including persons aging out the
8 juvenile justice system;

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

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

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

15 C. The Oklahoma Juvenile Justice Reform Committee shall be
16 responsible for drafting recommended legislation in accordance with
17 the current legislative drafting procedures.

18 D. 1. The Oklahoma Juvenile Justice Reform Committee shall
19 prepare a final draft of its report and recommendations together with
20 its recommended changes in the Juvenile Code, and shall submit them
21 to the Speaker of the House of Representatives and the President Pro
22 Tempore of the Senate by December 1, 2010.

23 2. The Oklahoma Juvenile Justice Reform Committee shall submit a
24 summary of every recommended change and addition to existing laws at

1 the time the recommended Children's Code Article and any amendments
2 are presented to the Speaker of the House of Representatives and the
3 President Pro Tempore of the Senate.

4 E. The Oklahoma Juvenile Justice Reform Committee shall cease to
5 function December 31, 2010.

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

8 A. Within fifteen (15) days from the initial appointment of
9 membership on the Oklahoma Juvenile Justice Reform Committee, the
10 Speaker of the House of Representatives and the President Pro Tempore
11 of the Senate shall each appoint one member of the Committee to serve
12 as co-chairs. If a vacancy occurs in such office, a new co-chair
13 shall be appointed from the Committee in the same manner as the
14 original appointment, who shall serve until December 31, 2010.

15 B. Other officers may be elected to serve on the Committee for
16 terms of office as may be designated by the Committee members. The
17 co-chairs of the Committee or their designees shall preside at
18 meetings.

19 C. The Committee may meet at least one time per month and at
20 such other times as may be set by the co-chairs of the Committee.

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

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

5 2. Non-legislative Committee members employed by the state shall
6 be reimbursed by their respective employing agency pursuant to the
7 State Travel Reimbursement Act; and

8 3. Any other Committee member shall receive reimbursement
9 pursuant to the State Travel Reimbursement Act.

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

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

14 The House of Representatives and the Senate may provide staff
15 assistance to the Oklahoma Juvenile Justice Reform Committee as
16 necessary to assist the Committee in the performance of its duties.

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

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