

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 2300

By: Peterson

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7 COMMITTEE SUBSTITUTE

8 An Act relating to children; amending 10A O.S. 2011,  
9 Section 1-4-809, which relates to deprived child  
10 permanency hearing requirements; modifying reasonable  
11 efforts requirements; and providing an effective  
12 date.

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

14 SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-4-809, is  
15 amended to read as follows:

16 Section 1-4-809. A. At any time prior to or following the  
17 adjudicatory hearing the court, on its own motion or upon the motion  
18 of a party, may find that reasonable efforts to prevent the removal  
19 of a child from home or to reunify the child and family are not  
20 required if the court determines, based upon a preponderance of the  
21 evidence, that:

22 1. The parent or legal guardian of the child, who is an infant  
23 age twelve (12) months or younger, has abandoned the child;

24 2. The parent or legal guardian of the child has:

- a. committed murder or manslaughter of any child,
- b. aided or abetted, attempted, conspired, or solicited to commit the murder or manslaughter of any child,
- c. committed a felony assault upon any child that resulted in the child receiving serious bodily injury, or
- d. subjected any child to aggravated circumstances including, but not limited to, heinous and shocking abuse or heinous and shocking neglect; ~~or~~

3. The parental rights of a parent to the child's sibling have been terminated involuntarily;

4. The parent has been found by a court of competent jurisdiction to have committed sexual abuse against the child or another child of the parent; or

5. The parent is required to register with a sex offender registry pursuant to Section 113(a) of the Adam Walsh Child Protection and Safety Act of 2006, 42 U.S.C., Section 16913(a).

B. The court shall conduct a permanency hearing within thirty (30) days of a determination by the court that any of the conditions specified in subsection A of this section exist. Reasonable efforts shall be made to place the child in a timely manner in accordance with the permanency plan.

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SECTION 2. This act shall become effective November 1, 2012.

53-2-9804            SDR            02/28/12