

1 **SENATE FLOOR VERSION**

2 March 29, 2012

3 As Amended

4 ENGROSSED HOUSE
5 BILL NO. 2300

6 By: Peterson, Nelson, Ownbey,
7 Rousselot, Tibbs, Kern and
8 Nollan of the House

9 and

10 Crain and Shortey of the
11 Senate

12 **[children - deprived child - permanency hearing**
13 **requirements - effective date]**

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

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

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

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

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

26 a. committed murder or manslaughter of any child,

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

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

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

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

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

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

23 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 3-27-12 - DO
24 PASS, As Amended and Coauthored.