

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3051

By: Sanders

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5  
6 AS INTRODUCED

7 An Act relating to children; authorizing prosecution  
8 of certain Department of Human Services employees for  
9 certain violations; specifying requirements;  
10 prohibiting certain benefits; providing for  
11 codification; and providing an effective date.

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

13 SECTION 1. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 1-8-110 of Title 10A, unless  
15 there is created a duplication in numbering, reads as follows:

16 A. In the event of the death or near death of a child in the  
17 custody of the Department of Human Services, as defined in Section  
18 1-6-105 of Title 10A of the Oklahoma Statutes, any child welfare  
19 worker, supervisor, or other employee of the Department of Human  
20 Services, who knowingly allows the reunification or placement of the  
21 child in a home in which an adult with a criminal conviction for a  
22 violent crime, drug use, or a public record indicating risk of  
23 imminent harm to the child was present, without first notifying all  
24 parties to the case and addressing all issues of concern, shall be

1 subject to prosecution for negligent homicide or other criminal or  
2 civil consequences as appropriate.

3 B. Any child welfare worker, child welfare supervisor or other  
4 employee of the Department of Human Services who knowingly falsifies  
5 documentation or fails to notify all parties of critical information  
6 in a child abuse or neglect case, as provided in subsection A of  
7 this section, shall be subject to prosecution for fraud, negligence,  
8 or other criminal or civil consequences as appropriate, if the child  
9 subsequently dies or has been determined to be near death, as  
10 defined in Section 1-6-105 of Title 10A of the Oklahoma Statutes.

11 C. Any employee of the Department of Human Services who is  
12 convicted pursuant to this section shall forfeit any retirement or  
13 other benefits accrued pursuant to Section 24.1 of Title 51 of the  
14 Oklahoma Statutes.

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

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