05/07/2014 03:48:58 PM

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB2667

By: Derby of the House and Sykes of the Senate

Title: Children; relating to termination of parental rights; modifying listed acts requiring termination; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

HB2667 CCR (A)

HOUSE CONFEREES

Biggs, Scott R.		Echols, Jon	
Grau, Randy		Inman, Scott	
Johnson, Dennis		Jordan, Fred	
Martin, Steve		McCall, Charles A.	
McCullough, Mark		Morrissette, Richard	
Newell, Tom		O'Donnell, Terry	
Russ, Todd		Sherrer, Ben	
Stiles, Aaron		Virgin, Emily	
Williams, Cory T.			

HB2667 CCR A

SENATE CONFEREES

Sykes _____

Griffin _____

Allen _____

Branan _____

Burrage _____

Ivester _____

House Action _____ Date _____ Senate Action _____ Date _____

House Action _____ Date _____ Senate Action _____ Date _____

ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE
BILL NO. 2667

By: Derby and McCullough of the House

and

Sykes of the Senate

An Act relating to children; amending 10A O.S. 2011, Section 1-4-902, which relates to termination of parental rights; modifying listed acts requiring termination; requiring termination if no measurable progress in certain time period; and providing an effective date.

AUTHOR: Add the following Senate Coauthor: Ivester

AMENDMENT NO. 1. Page 1, strike the title to read

"[children - termination of parental rights - no measurable progress - effective date]"

Passed the Senate the 21st day of April, 2014.

_____
Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2014.

_____
Presiding Officer of the House of Representatives

ENGROSSED HOUSE
BILL NO. 2667

By: Derby and McCullough of the House

and

Sykes of the Senate

An Act relating to children; amending 10A O.S. 2011, Section 1-4-902, which relates to termination of parental rights; modifying listed acts requiring termination; requiring termination if no measurable progress in certain time period; and providing an effective date.

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

SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-4-902, is amended to read as follows:

Section 1-4-902. A. The district attorney shall file a petition or motion for termination of the parent-child relationship and parental rights with respect to a child or shall join in the petition or motion, if filed by the child's attorney, in any of the following circumstances:

1. Prior to the end of the fifteenth month when a child has been placed in foster care by the Department of Human Services for fifteen (15) of the most recent twenty-two (22) months. For

purposes of this paragraph, a child shall be considered to have entered foster care on the earlier of:

a. the date of adjudication as a deprived child, or

b. the date that is sixty (60) days after the date on which the child is removed from the home;

2. No later than sixty (60) days after a child has been judicially determined to be an abandoned infant;

3. No later than sixty (60) days after a court has determined that reasonable efforts to reunite are not required due to a felony conviction of a parent ~~who has~~ of any of the following acts:

a. ~~committed the murder of any child or has aided or abetted, attempted, conspired in, or solicited the commission of the murder of any child,~~

~~b.~~ ~~committed voluntary manslaughter of another child of the parent, or has aided or abetted, attempted, conspired in, or solicited the commission of voluntary manslaughter of any child, or~~

~~c.~~ ~~committed a felony assault that has resulted in serious bodily injury to the child or to any child~~ permitting a child to participate in pornography,

b. rape, or rape by instrumentation,

c. lewd molestation of a child under sixteen (16) years of age,

d. child abuse or neglect,

e. enabling child abuse or neglect,

f. causing the death of a child as a result of the physical or sexual abuse or chronic abuse or chronic neglect of the child,

g. causing the death of a sibling of the child as a result of the physical or sexual abuse or chronic abuse or chronic neglect of the child's sibling,

h. murder of any child or aiding or abetting, attempting, conspiring in, or soliciting to commit murder of any child,

i. voluntary manslaughter of any child,

j. a felony assault that has resulted in serious bodily injury to the child or another child of the parent, or

k. murder or voluntary manslaughter of the child's parent or aiding or abetting, attempting, conspiring in, or soliciting to commit murder of the child's parent; or

4. No later than ninety (90) days after the court has ordered the individualized service plan if the parent has made no measurable progress in correcting the conditions which caused the child to be adjudicated deprived.

B. If any of the following conditions exist, the district attorney is not required to file a petition as provided in subsection A of this section for a deprived child:

1. At the option of the Department or by order of the court, the child is properly being cared for by a relative;

2. The Department has documented a compelling reason for determining that filing a petition to terminate parental rights would not serve the best interests of the child that may include consideration of any of the following circumstances:

a. the parents or legal guardians have maintained a relationship with the child and the child would benefit from continuing this relationship,

b. the child, who is twelve (12) years or older, objects to the termination of the parent-child legal relationship,

c. the foster parents of the child are unable to adopt the child because of exceptional circumstances which do not include an unwillingness to accept legal responsibility for the child but are willing and capable of providing the child with a stable and permanent environment, and the removal of the child from the physical custody of the foster parents would be seriously detrimental to the emotional well-being of the child because the child has substantial psychological ties to the foster parents,

d. the child is not capable of achieving stability if placed in a family setting, or

e. the child is an unaccompanied, refugee minor and the situation regarding the child involves international legal issues or compelling foreign policy issues; or

3. The state has not provided to the family of the child, consistent with the time period in the state case plan, services that the state deems necessary for the safe return of the child to the child's home, if reasonable efforts are required to be made with respect to the child.

SECTION 2. This act shall become effective November 1, 2014.

Passed the House of Representatives the 12th day of March, 2014.

_____
Presiding Officer of the House of Representatives

Passed the Senate the ___ day of _____, 2014.

_____
Presiding Officer of the Senate