STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 3496 By: Nelson

COMMITTEE SUBSTITUTE

An Act relating to crimes and punishments; requiring reporting of trafficking in children; specifying where to report trafficking; directing notification be given to district attorney; prescribing time period for notification; prohibiting privilege claim; specifying requirement is individual; prohibiting interference or retaliation; mandating damages, costs and fees; providing for reporting to licensing entity; permitting disciplinary action; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 870 of Title 21, unless there is created a duplication in numbering, reads as follows:

A. Every person having reason to believe that a person or child-placing agency is engaging in the crime of trafficking in children as described in Section 866 of Title 21 of the Oklahoma Statutes shall report the matter promptly to the Oklahoma Bureau of Narcotics and Dangerous Drugs Control. The Bureau shall notify the

district attorney in the county where the alleged trafficking in children took place no later than seven (7) days after receiving a report.

1. No privilege or contract shall relieve any person from the reporting requirements in subsection A of this section.

2. The reporting requirements in subsection A of this section is individual, and no employer, supervisor or administrator shall interfere with the reporting requirement of any employee or other person or in any manner discriminate or retaliate against the employee or other person who in good faith reports suspected trafficking in children, or who provides testimony in any proceeding involving trafficking in children. Any employer, supervisor or administrator who discharges, discriminates or retaliates against the employee or other person shall be liable for damages, costs and attorney fees.

B. Any person who knowingly and willfully fails to promptly report suspected trafficking in children or who interferes with the prompt reporting of trafficking in children and who is licensed by a state entity shall be reported to the licensing entity and may be subject to discipline, including license revocation or suspension.

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

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