

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 54th Legislature (2014)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3496

By: Nelson

7
8 COMMITTEE SUBSTITUTE

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

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

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

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

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

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

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

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

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

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23 COMMITTEE REPORT BY: COMMITTEE ON HUMAN SERVICES, dated 02/26/2014 -
24 DO PASS, As Amended.