

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

HOUSE BILL 2339

By: Roberts (Dustin)

AS INTRODUCED

An Act relating to public assistance; amending 70 O.S. 2011, Section 24-120, which relates to withholding assistance payments for truancy; specifying term; requiring Department of Human Services withhold certain assistance payments if child is truant; permitting reinstatement of payments if attendance improves; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 24-120, is amended to read as follows:

Section 24-120. A. At the close of each attendance period of the school term, the board of education of each school district shall notify in writing the Department of Human Services of the name of any child under the age of eighteen (18) who has not been present for instruction at least eighty percent (80%) of the time without valid excuse as defined in Section 10-105 of this title.

B. Upon the receipt of ~~such~~ this information from the school district, the ~~Director of the~~ Department of Human Services ~~is~~ ~~authorized to~~ shall withhold ~~assistance~~ Temporary Assistance for

1 Needy Families (TANF) payments to the payee of ~~such~~ the child and to  
2 instigate an investigation for the purpose of improving the school  
3 attendance of ~~such~~ the child. After ~~such~~ investigation, if the  
4 attendance record of the child investigated ~~is satisfactory~~ improves  
5 to at least eighty percent (80%), ~~such withheld~~ the TANF payments  
6 may be ~~released~~ reinstated. In the event the investigation results  
7 in a change in custody and care of ~~such~~ the child, payments to the  
8 payee shall be canceled or shall be made to the person qualified to  
9 receive benefits on behalf of the child.

10 C. ~~For purposes of the pilot project, the~~ The Department of  
11 Human Services and the State Board of Education shall establish a  
12 procedure to provide for the exchange of information required by  
13 this section concerning students subject to the provisions of this  
14 section. Any procedure ~~thus~~ established shall, if applicable,  
15 comply with the requirements of the Family Educational Rights and  
16 Privacy Act, 20 U.S.C. Section 1232g et seq., and any other  
17 applicable federal law.

18 D. The district attorney shall file with the Department of  
19 Human Services a report identifying any child who has been convicted  
20 of truancy within thirty (30) days of such conviction.

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

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