

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE
4 FOR
5 SENATE BILL NO. 541

By: Brooks

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7 COMMITTEE SUBSTITUTE

8 An Act relating to the Department of Human Services;
9 amending 10 O.S. 2011, Section 405.3, as amended by
10 Section 8, Chapter 308, O.S.L. 2013 (10 O.S. Supp.
11 2014, Section 405.3), which relates to the Online
12 Child Care Restricted Registry; clarifying language;
13 modifying grounds for placement on registry to
14 include certain persons; providing certain
15 construction; and providing an effective date.

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

17 SECTION 1. AMENDATORY 10 O.S. 2011, Section 405.3, as
18 amended by Section 8, Chapter 308, O.S.L. 2013 (10 O.S. Supp. 2014,
19 Section 405.3), is amended to read as follows:

20 Section 405.3. A. On or before July 1, 2010, the Department of
21 Human Services shall promulgate rules to establish and maintain the
22 Child Care Restricted Registry, accessible to the public through an
23 online database, to address:

24 1. A procedure for recording individuals on the restricted
registry resulting from:

1 a. a substantiated finding of abuse or neglect, as
2 defined in Section 1-1-105 of Title 10A of the
3 Oklahoma Statutes, by an individual when the abuse or
4 neglect occurred to children while in the care of a
5 child care facility licensed by the Department or by
6 an adult in a family child care home when the adult's
7 presence is incidental to the operation of the family
8 child care home,

9 b. a revocation or denial of a child care facility
10 license, and

11 c. a specified criminal history of an individual, as
12 defined by rules promulgated by the Department;

13 2. A procedure to provide notice and an opportunity for review
14 prior to recording an individual on the restricted registry;

15 3. Disclosure requirements for information on the restricted
16 registry; and

17 4. A procedure to prohibit licensure, ownership, employment,
18 unsupervised access to children, or residence in a child care
19 facility licensed by the Department of individuals recorded on the
20 restricted registry.

21 B. The Child Care Restricted Registry shall include, but not be
22 limited to:

23 1. The full name of the individual;

24 2. Information necessary to identify the individual; and

1 3. The date the individual was recorded on the restricted
2 registry.

3 C. Nothing in this section shall be construed as to permit the
4 placement of an operator of a child care facility on the Child Care
5 Restricted Registry unless the operator is the subject of a
6 substantiated finding of child abuse or neglect.

7 SECTION 2. This act shall become effective November 1, 2015.
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