HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

ENGROSSED SENATE
BILL NO. 541 By: Brooks of the Senate

and

Cockroft of the House

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

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

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

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

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

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

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

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

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

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

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

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

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

1. The full name of the individual;

2. Information necessary to identify the individual; and

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

C. Nothing in this section shall be construed as to permit the placement of an operator of a child care facility on the Child Care Restricted Registry unless the operator:

1. Is the subject of a substantiated finding of child abuse or neglect;

2. Has been subject to a revocation or denial of a child care facility license; or

3. Has a specified criminal history, as defined by rules promulgated by the Department.

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

COMMITTEE REPORT BY: COMMITTEE ON CHILDREN, YOUTH, AND FAMILY SERVICES, dated 03/24/2015 - DO PASS.

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