

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2300

By: Peterson, Nelson and Ownbey

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8 COMMITTEE SUBSTITUTE

9 An Act relating to children; amending 10A O.S. 2011,
10 Section 1-4-809, which relates to deprived child
11 permanency hearing requirements; modifying reasonable
12 efforts requirements; and providing an effective
13 date.

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

15 SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-4-809, is
16 amended to read as follows:

17 Section 1-4-809. A. At any time prior to or following the
18 adjudicatory hearing the court, on its own motion or upon the motion
19 of a party, may find that reasonable efforts to prevent the removal
20 of a child from home or to reunify the child and family are not
21 required if the court determines, based upon a preponderance of the
22 evidence, that:

1 1. The parent or legal guardian of the child, who is an infant
2 age twelve (12) months or younger, has abandoned the child;

3 2. The parent or legal guardian of the child has:

4 a. committed murder or manslaughter of any child,

5 b. aided or abetted, attempted, conspired, or solicited
6 to commit the murder or manslaughter of any child,

7 c. committed a felony assault upon any child that
8 resulted in the child receiving serious bodily injury,
9 or

10 d. subjected any child to aggravated circumstances
11 including, but not limited to, heinous and shocking
12 abuse or heinous and shocking neglect; ~~or~~

13 3. The parental rights of a parent to the child's sibling have
14 been terminated involuntarily;

15 4. The parent has been found by a court of competent
16 jurisdiction to have committed sexual abuse against the child or
17 another child of the parent; or

18 5. The parent is required to register with a sex offender
19 registry pursuant to Section 113(a) of the Adam Walsh Child
20 Protection and Safety Act of 2006, 42 U.S.C., Section 16913(a).

21 B. The court shall conduct a permanency hearing within thirty
22 (30) days of a determination by the court that any of the conditions
23 specified in subsection A of this section exist. Reasonable efforts
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1 shall be made to place the child in a timely manner in accordance
2 with the permanency plan.

3 SECTION 2. This act shall become effective November 1, 2012.

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5 COMMITTEE REPORT BY: COMMITTEE ON HUMAN SERVICES, dated 02/28/2012 -
6 DO PASS, As Amended and Coauthored.

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