

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3259 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Charles Ortega

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 3259

By: Ortega

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to children; amending 10A O.S. 2011, Section 1-4-602, which relates to petitions for adjudication; directing Department of Human Services to make certain amendments to internal documents; prohibiting use of certain allegations in court proceedings; making provisions retroactive; and providing an effective date.

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

SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-4-602, is amended to read as follows:

Section 1-4-602. If the court finds that the factual allegations of the petition are not supported by a preponderance of the evidence, the court shall order the petition dismissed and shall order the child discharged from any custody. The child's parents, guardian or other legal custodian shall also be discharged from any restriction or other previous temporary order. Upon the dismissal of the petition, the Department of Human Services shall make necessary amendments in its internal documents to reflect that any

1 allegations that may have been substantiated were determined by the
2 court to not be supported by a preponderance of the evidence and
3 that the petition was dismissed. Any substantiated allegations that
4 were part of a petition which was dismissed shall not be used
5 against the parent in any future court proceeding and shall be
6 treated by the Department as if the allegations were
7 unsubstantiated. This section shall be retroactive and shall apply
8 regardless of when the allegations were substantiated.

9 SECTION 2. This act shall become effective November 1, 2020.

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11 57-2-10835 JW 01/30/20
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