

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

COMMITTEE SUBSTITUTE  
FOR

HOUSE BILL NO. 3443

By: Dills

COMMITTEE SUBSTITUTE

An Act relating to children; allowing certain youth over sixteen years of age to contract for housing; allowing certain providers to issue certifications of unaccompanied status; providing requirements for certifications; requiring notice; providing for report to Department of Human Services; directing agency to promulgate rules; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-9-125 of Title 10A, unless there is created a duplication in numbering, reads as follows:

A. A youth who is at least sixteen (16) years of age may be allowed to enter into contracts for obtaining housing if the youth obtains a certification of unaccompanied status from a youth services provider that is licensed, accredited, monitored or contracted by a state agency to provide care for unaccompanied youth under this section.

1 B. The certification must show that the provider has determined  
2 that the youth:

3 1. Is homeless or a victim of domestic violence or child abuse  
4 as defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes;

5 2. Is self-supporting without physical or financial support  
6 from a parent or legal guardian;

7 3. Is not in the custody of the Department of Human Services,  
8 the Office of Juvenile Affairs or an Indian tribe; and

9 4. Is not currently the subject of an ongoing juvenile deprived  
10 action in any district or tribal court.

11 C. The provider shall issue the certification fourteen (14)  
12 days after sending notice via certified mail, return receipt  
13 requested, to the youth's parent or legal guardian. The notice  
14 shall include the youth's full name, date of birth, birthplace and a  
15 statement that the child is seeking to be certified by the agency as  
16 an unaccompanied youth.

17 If, after due diligence, the provider is unable to identify the  
18 whereabouts of the youth's parent or legal guardian, notice to the  
19 parent or legal guardian shall not be required.

20 D. If the child is a member or eligible for enrollment in a  
21 federally recognized Indian tribe, the provider shall provide notice  
22 to the tribe's child welfare department, or other designee, prior to  
23 issuing the certification.

1 E. In the event that the youth's parent or legal guardian  
2 contacts the provider and the provider believes that returning home  
3 would place the youth at risk of physical or emotional harm, the  
4 provider shall make a report to the Department of Human Services.

5 F. A certification of unaccompanied status under this section  
6 shall not deprive the parent or legal guardian of any parental or  
7 legal authority regarding the care and custody of the youth.

8 G. The Department of Human Services shall have the authority to  
9 promulgate rules for the purposes of administering this section.

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

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