

1 ENGROSSED HOUSE
2 BILL NO. 3259

By: Ortega, Albright and Lepak
of the House

3 and

4 Howard of the Senate
5
6

7 [children - directing Department of Human Services
8 to make certain amendments to internal documents -
9 effective date]
10
11
12

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

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

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

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

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

9 Passed the House of Representatives the 10th day of March, 2020.

10
11 _____
12 Presiding Officer of the House
of Representatives

13 Passed the Senate the ____ day of _____, 2020.

14
15 _____
16 Presiding Officer of the Senate
17
18
19
20
21
22
23
24