

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3443

By: Dills

7
8 COMMITTEE SUBSTITUTE

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

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

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

21 A. A youth who is at least sixteen (16) years of age may be
22 allowed to enter into contracts for obtaining housing if the youth
23 obtains a certification of unaccompanied status from a youth
24 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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12 COMMITTEE REPORT BY: COMMITTEE ON CHILDREN, YOUTH AND FAMILY
13 SERVICES, dated 02/20/2020 - DO PASS, As Amended.
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