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February 26, 2019

By: Kidd

An Act relating to school employees; amending Section 2, Chapter 323, O.S.L. 2018 (70 O.S. Supp. 2018, Section 1210.163), which relates to reporting of potential abuse or neglect; directing certain report involving a child under certain age to be made to certain hotline; requiring allegations reported to a county office to be referred to certain hotline; directing certain report involving a child over certain age to be made to local law enforcement; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 2, Chapter 323, O.S.L.  
2018 (70 O.S. Supp. 2018, Section 1210.163), is amended to read as  
follows:

Section 1210.163. A. ~~A school employee who has reason to believe that a student is a victim of abuse or neglect shall report the matter promptly to the Department of Human Services and to local law enforcement. Reports to the Department of Human Services shall be made via the hotline provided for in subsection A of Section 1-2-101 of Title 10A of the Oklahoma Statutes~~ Every school employee having reason to believe that a child under the age of eighteen (18)

1 is a victim of abuse or neglect shall report the matter immediately  
2 to the Department of Human Services. Reports shall be made to the  
3 hotline provided for in Section 1-2-101 of Title 10A of the Oklahoma  
4 Statutes. Any allegation of abuse or neglect reported in any manner  
5 to a county office shall immediately be referred to the hotline by  
6 the Department.

7 B. Every school employee having reason to believe that a  
8 student age eighteen (18) or older is a victim of abuse or neglect  
9 shall report the matter immediately to local law enforcement.

10 C. For the purposes of this section, "child abuse and neglect"  
11 shall include, but not be limited to:

12 1. Child abuse as defined in Section 843.5 of Title 21 of the  
13 Oklahoma Statutes;

14 2. Sexual abuse or sexual exploitation as defined in Section 1-  
15 1-105 of Title 10A of the Oklahoma Statutes;

16 3. Contributing to the delinquency of a minor as defined in  
17 Section 856 of Title 21 of the Oklahoma Statutes;

18 4. Trafficking in children, as defined in Section 866 of Title  
19 21 of the Oklahoma Statutes;

20 5. Incest as described in Section 885 of Title 21 of the  
21 Oklahoma Statutes;

22 6. Forcible sodomy, as described in Section 888 of Title 21 of  
23 the Oklahoma Statutes;

1       7. Maliciously, forcibly or fraudulently taking or enticing a  
2 child away, as described in Section 891 of Title 21 of the Oklahoma  
3 Statutes;

4       8. Soliciting or aiding a minor child to perform or showing,  
5 exhibiting, loaning or distributing obscene material or child  
6 pornography, as described in Section 1021 of Title 21 of the  
7 Oklahoma Statutes;

8       9. Procuring or causing the participation of any minor child in  
9 any child pornography or knowingly possessing, procuring or  
10 manufacturing child pornography, as described in Section 1021.2 of  
11 Title 21 of the Oklahoma Statutes;

12       10. Permitting or consenting the participation of a minor child  
13 in any child pornography, as described in Section 1021.3 of Title 21  
14 of the Oklahoma Statutes;

15       11. Facilitating, encouraging, offering or soliciting sexual  
16 conduct with a minor, as described in Section 1040.13a of Title 21  
17 of the Oklahoma Statutes;

18       12. Offering or offering to secure a minor child for the  
19 purposes of prostitution or any other lewd or indecent act, as  
20 described in Section 1087 of Title 21 of the Oklahoma Statutes;

21       13. Causing, inducing, persuading or encouraging a minor child  
22 to engage or continue to engage in prostitution, as described in  
23 Section 1088 of Title 21 of the Oklahoma Statutes;

1        14. Rape or rape by instrumentation, as described in Sections  
2 1111.1 and 1114 of Title 21 of the Oklahoma Statutes; and

3        15. Making any oral, written or electronically or computer-  
4 generated lewd or indecent proposals to a minor child under the age  
5 of sixteen (16) as described in Section 1123 of Title 21 of the  
6 Oklahoma Statutes.

7        SECTION 2. This act shall become effective July 1, 2019.

8        SECTION 3. It being immediately necessary for the preservation  
9 of the public peace, health or safety, an emergency is hereby  
10 declared to exist, by reason whereof this act shall take effect and  
11 be in full force from and after its passage and approval.

12 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
13 February 26, 2019 - DO PASS  
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