

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 3212

By: Lawson

AS INTRODUCED

An Act relating to children; amending 10 O.S. 2011, Section 405.3, as last amended by Section 2, Chapter 253, O.S.L. 2017 (10 O.S. Supp. 2019, Section 405.3), which relates to the child care Restricted Registry; modifying notice requirements; requiring notice to individual and certain facilities prior to recording an individual on the Restricted Registry, and providing an effective date.

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

SECTION 1. AMENDATORY 10 O.S. 2011, Section 405.3, as last amended by Section 2, Chapter 253, O.S.L. 2017 (10 O.S. Supp. 2019, Section 405.3), is amended to read as follows:

Section 405.3 A. The Department of Human Services shall promulgate rules to establish and maintain the Restricted Registry, accessible to the public through an online database, to address:

1. A procedure for recording individuals on the restricted registry resulting from:

a. a substantiated finding of abuse or neglect, as defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes, by an individual when the abuse or

neglect occurred to a child while in the care of a facility licensed, certified, operated or contracted by or with the Department or the Office of Juvenile Affairs. The provisions of this subparagraph shall apply to:

(1) the Central Oklahoma Juvenile Center, the Oklahoma Juvenile Center for Girls and the Southwest Oklahoma Juvenile Center upon the effective date of this act, and

(2) facilities licensed by, certified by or contracting with the Office of Juvenile Affairs after November 1, 2018,

b. a revocation or denial of a child care facility license, and

c. a specified criminal history of an individual, as defined by rules promulgated by the Department;

2. A procedure to provide notice and an opportunity for review to the individual, and, if the individual is an employee of a facility licensed, certified, operated or contracted by or with the Office of Juvenile Affairs, to the facility prior to recording an individual on the restricted registry;

3. Disclosure requirements for information on the restricted registry; and

1 4. A procedure to prohibit licensure, ownership, employment,
2 unsupervised access to children or residence in a facility or
3 program licensed, certified, operated or contracted with by the
4 Department or the Office of Juvenile Affairs.

5 B. The Restricted Registry shall include, but not be limited
6 to:

- 7 1. The full name of the individual;
8 2. Information necessary to identify the individual; and
9 3. The date the individual was recorded on the restricted
10 registry.

11 C. Nothing in this section shall be construed as to permit the
12 placement of an operator of a child care facility on the Restricted
13 Registry unless the operator:

- 14 1. Is the subject of a substantiated finding of child abuse or
15 neglect;
16 2. Has been subject to a revocation or denial of a child care
17 facility license; or
18 3. Has a specified criminal history, as defined by rules
19 promulgated by the Department.

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

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