

# An Act

ENROLLED HOUSE  
BILL NO. 2327

By: Bashore and Lawson of the  
House

and

Stanley of the Senate

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. 2020, 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.

SUBJECT: Children

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. 2020, 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

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

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

1. The full name of the individual;
2. Information necessary to identify the individual; and
3. The date the individual was recorded on the Restricted Registry.

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

1. Is the subject of a substantiated finding of child abuse or neglect;

2. Has been subject to a revocation or denial of a child care facility license; or

3. Has a specified criminal history, as defined by rules promulgated by the Department.

SECTION 2. This act shall become effective November 1, 2021.

Passed the House of Representatives the 2nd day of March, 2021.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 20th day of April, 2021.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_