

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 HOUSE BILL 2327

By: **Bashore** and Lawson of the
House

5
6 and

7 **Stanley** of the Senate

8
9 AS INTRODUCED

10 An Act relating to children; amending 10 O.S. 2011,
11 Section 405.3, as last amended by Section 2, Chapter
12 253, O.S.L. 2017 (10 O.S. Supp. 2020, Section 405.3),
13 which relates to the child care Restricted Registry;
14 modifying notice requirements; requiring notice to
15 individual and certain facilities prior to recording
16 an individual on the Restricted Registry; and
17 providing an effective date.

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

19 SECTION 1. AMENDATORY 10 O.S. 2011, Section 405.3, as
20 last amended by Section 2, Chapter 253, O.S.L. 2017 (10 O.S. Supp.
21 2020, Section 405.3), is amended to read as follows:

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

1 1. A procedure for recording individuals on the Restricted
2 Registry resulting from:

3 a. a substantiated finding of abuse or neglect, as
4 defined in Section 1-1-105 of Title 10A of the
5 Oklahoma Statutes, by an individual when the abuse or
6 neglect occurred to a child while in the care of a
7 facility licensed, certified, operated or contracted
8 by or with the Department or the Office of Juvenile
9 Affairs. The provisions of this subparagraph shall
10 apply to:

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

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

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

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

22 2. A procedure to provide notice and an opportunity for review
23 to the individual, and, if the individual is an employee of a
24 facility licensed, certified, operated or contracted by or with the

1 Office of Juvenile Affairs, to the facility prior to recording an
2 individual on the Restricted Registry;

3 3. Disclosure requirements for information on the Restricted
4 Registry; and

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

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

11 1. The full name of the individual;

12 2. Information necessary to identify the individual; and

13 3. The date the individual was recorded on the Restricted
14 Registry.

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

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

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

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

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

COMMITTEE REPORT BY: COMMITTEE ON CHILDREN, YOUTH AND FAMILY
SERVICES, dated 02/23/2021 - DO PASS, As Coauthored.