

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

HOUSE BILL 2327

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. 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.

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

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, 2021.

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