

BILL SUMMARY
2nd Session of the 59th Legislature

Bill No.:	SB 1601
Version:	ENGR
Request Number:	
Author:	Rep. Kannady
Date:	3/28/2024
Impact:	\$0

Research Analysis

Engrossed Senate Bill 1601 establishes the "Uniform Unregulated Child Custody Transfer Act" to regulate child custody transfers. It defines terms like "child," "custody," and "parent" while exempting Indian child custody governed by federal law. The measure prohibits unregulated custody transfers unless certain legal procedures are followed, such as transferring custody through adoption or guardianship, obtaining a judicial custody award, placing the child through a child-placing agency, or seeking other judicial or tribal action. It authorizes the Department of Human Services to intervene in suspected violations and prohibits solicitation or advertisement related to such transfers. Additionally, it emphasizes promoting uniformity of the law across jurisdictions and modifies aspects of the Electronic Signatures in Global and National Commerce Act.

Prepared By: Matthew Brenchley

Fiscal Analysis

SB 1601 enacts the Uniform Unregulated Child Custody Transfer Act. The measure prohibits transfer of child custody to another person with the intent to abandon rights and responsibilities concerning the child under certain circumstances. A person may not knowingly receive such custody of a child unless it is by lawful means listed within the measure. The measure permits the Oklahoma Department of Human Services (OKDHS) to conduct a home visit where it reasonably believes that such transfer in violation of the measure may occur. Further, the measure mandates certain reporting procedures for OKDHS following such home visits.

After communication with OKDHS, the measure is anticipated to be cost neutral because the agency would already be working such cases upon referral.

Prepared By: Zach Lein, House Fiscal Staff

Other Considerations

None.