

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3755 \_\_\_\_\_ Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
\_\_\_\_\_  
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu  
thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Danny Sterling \_\_\_\_\_

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 PROPOSED COMMITTEE  
SUBSTITUTE  
4 FOR  
HOUSE BILL NO. 3755

5 By: Sterling

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7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to children; amending 10A O.S. 2021,  
9 Section 2-3-103, as amended by Section 1, Chapter  
10 242, O.S.L. 2022 (10A O.S. Supp. 2025, Section 2-3-  
11 103), which relates to temporary detention; requiring  
12 the Office of Juvenile Affairs to provide all  
medication prescribed for juveniles at time of  
placement; providing temporary exception if  
medication is not available; directing the Office to  
provide medication within certain time period; and  
providing an effective date.

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

18 SECTION 1. AMENDATORY 10A O.S. 2021, Section 2-3-103, as  
19 amended by Section 1, Chapter 242, O.S.L. 2022 (10A O.S. Supp. 2025,  
20 Section 2-3-103), is amended to read as follows:

21 Section 2-3-103. A. Provision shall be made for the temporary  
22 detention of children in a juvenile detention facility or the court  
23 may arrange for the care and custody of such children temporarily in  
24 private homes, subject to the supervision of the court, or the court

1 may provide shelter or may enter into a contract with any  
2 institution or agency to receive, for temporary care and custody,  
3 children within the jurisdiction of the court. The Office of  
4 Juvenile Affairs shall not be ordered to provide detention unless  
5 said Office has designated and is operating detention services or  
6 facilities.

7       B. County sheriffs of the arresting agency, their designee, any  
8 peace officer, private contractors under contract with the Office of  
9 Juvenile Affairs for transportation services, or juvenile court  
10 officers shall provide for the transportation of juveniles to and  
11 from secure detention for purposes of admission, interfacyility  
12 transfer, discharge, medical or dental attention, court appearance,  
13 or placement designated by the Office. No private contract for  
14 transportation services shall be entered into by the Office unless  
15 the private contractor demonstrates to the satisfaction of the  
16 Office that such contractor is able to obtain insurance or provide  
17 self-insurance to indemnify the Office against possible lawsuits and  
18 meets the requirements of subparagraphs a, b and d of paragraph 4 of  
19 subsection C of this section. The Office of Juvenile Affairs shall  
20 not be ordered to provide transportation for a juvenile who is  
21 detained in or is destined for secure detention. The Office of  
22 Juvenile Affairs shall provide reimbursement to the entity  
23 transporting juveniles for necessary and actual expenses for  
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1 | transporting juveniles who are detained in or destined for a secure  
2 | detention center as follows:

3 |       1. A fee for the cost of personal services at the rate of  
4 | Seventeen Dollars (\$17.00) per hour;

5 |       2. Mileage reimbursement for each mile actually traveled at the  
6 | rate established in the State Travel Reimbursement Act;

7 |       3. Meals for transporting personnel, not to exceed Ten Dollars  
8 | (\$10.00) per meal; and

9 |       4. Meals for juveniles being transported, not to exceed Ten  
10 | Dollars (\$10.00) per meal.

11 |           The Office of Juvenile Affairs shall process and mail  
12 | reimbursement claims within sixty (60) days of receipt. Payments  
13 | for services provided by a county sheriff's office shall be paid to  
14 | the county and deposited in the service fee account of the sheriff.

15 |           C. 1. All juvenile detention facilities shall be certified by  
16 | the Office of Juvenile Affairs. To be certified, a juvenile  
17 | detention facility shall be required to meet standards for  
18 | certification promulgated by the Board of Juvenile Affairs.

19 |           2. The board of county commissioners of every county shall  
20 | provide for the temporary detention of a child who is or who may be  
21 | subject to secure detention and may construct a building or rent  
22 | space for such purpose. The boards of county commissioners shall  
23 | provide for temporary detention services and facilities in  
24 | accordance with the provisions of the State Plan for the

1 Establishment of Juvenile Detention Services adopted pursuant to  
2 subsection D of this section and in accordance with subsections A  
3 and C of Section 2-7-608 of this title. The boards of county  
4 commissioners are hereby authorized to create multicounty trust  
5 authorities for the purpose of operating juvenile detention  
6 facilities.

7       3. In order to operate the juvenile detention facilities  
8 designated in the State Plan for the Establishment of Juvenile  
9 Detention Services and in subsections A and C of Section 2-7-608 of  
10 this title, the boards of county commissioners in the designated  
11 host counties shall:

- 12           a. operate the juvenile detention facility through a  
13                   statutorily constituted juvenile bureau subject to the  
14                   supervision of the district court, or
- 15           b. operate the juvenile detention facility by employing a  
16                   manager who may employ personnel and incur other  
17                   expenses as may be necessary for its operation and  
18                   maintenance, or
- 19           c. contract with a public agency, private agency,  
20                   federally recognized tribe, or single or multi-county  
21                   trust authority for the operation of the juvenile  
22                   detention facility. In the event any board of county  
23                   commissioners contracts with a public or private  
24                   agency or a federally recognized tribe, pursuant to

the provisions of this section, the Office is authorized to directly contract with and pay such public or private agency or federally recognized tribe for provision of detention services. Any contract with a federally recognized tribe shall become effective upon approval by the board of county commissioners.

8        4. Management contracts for privately operated detention  
9 facilities shall be negotiated with the firm found most qualified by  
10 the board of county commissioners. However, no private management  
11 contract shall be entered into by the board unless the private  
12 contractor demonstrates to the satisfaction of the board:

- a. that the contractor has the qualifications, experience, and personnel necessary to implement the terms of the contract,
- b. that the financial condition of the contractor is such that the term of the contract can be fulfilled,
- c. that the ability of the contractor to obtain insurance or provide self-insurance to indemnify the county against possible lawsuits and to compensate the county for any property damage or expenses incurred due to the private operation of the juvenile detention facility, and

d. that the contractor has the ability to comply with applicable court orders and rules of the Office of Juvenile Affairs.

4       5. All counties to be served by a secure juvenile detention  
5 facility may, upon the opening of such facility, contract with the  
6 operators for the use of the facility for the temporary detention of  
7 children who are subject to secure detention; provided, however, a  
8 jail, adult lockup, or other adult detention facility may be used  
9 for the secure detention of a child as provided for in Section 2-3-  
10 101 of this title.

11       6. Expenses incurred in carrying out the provisions of this  
12 section shall be paid from the general fund of the county or from  
13 other public funds lawfully appropriated for such purposes or from  
14 private funds that are available for such purposes. A county may  
15 also issue bonds for the construction of detention facilities.

16       7. The operation of a juvenile detention facility by a county  
17 shall constitute a quasi-judicial function and is also hereby  
18 declared to be a function of the State of Oklahoma for purposes of  
19 the Eleventh Amendment to the United States Constitution. In  
20 addition, no contract authorized by the provisions of this section  
21 for the providing of transportation services or for the operation of  
22 a juvenile detention facility shall be awarded until the contractor  
23 demonstrates to the satisfaction of the county that the contractor  
24 has obtained liability insurance with the limits specified by The

1 Governmental Tort Claims Act against lawsuits arising from the  
2 operation of the juvenile detention facility by the contractor, or,  
3 if the contract is for the providing of transportation services, the  
4 contractor has obtained liability insurance with the limits  
5 specified by The Governmental Tort Claims Act against lawsuits  
6 arising from the transportation of juveniles as authorized by  
7 subsection A B of this section.

8       D. The Board of Juvenile Affairs, from monies appropriated for  
9 that purpose, shall develop, adopt, and implement a plan for secure  
10 juvenile detention services and alternatives to secure detention, to  
11 be known as the State Plan for the Establishment of Juvenile  
12 Detention Services, which shall provide for the establishment of  
13 juvenile detention facilities and services with due regard for  
14 appropriate geographical distribution and existing juvenile  
15 detention programs operated by statutorily constituted juvenile  
16 bureaus. Said plan may be amended or modified by the Board as  
17 necessary and appropriate. Until said plan is adopted by the Board,  
18 the plan adopted by the Commission for Human Services shall remain  
19 in effect.

20       1. The Board of Juvenile Affairs shall establish procedures for  
21 the letting of contracts or grants, including grants to existing  
22 juvenile detention programs operated by statutorily constituted  
23 juvenile bureaus, and the conditions and requirements for the  
24 receipt of said grants or contracts for juvenile detention services

1 and facilities as provided in this section and Section 2-7-401 of  
2 this title. A copy of such procedures shall be made available to  
3 any member of the general public upon request. All such grants or  
4 contracts shall require the participation of local resources in the  
5 funding of juvenile detention facilities. A contract for services  
6 shall be based upon a formula approved by the Board which shall set  
7 the contract amount in accordance with the services offered and the  
8 degree of compliance with standards for certification.

9 2. The Board of Juvenile Affairs shall establish standards for  
10 the certification of detention services and juvenile detention  
11 facilities. Such standards may include, but not be limited to:

- 12 a. screening for detention~~s~~,
- 13 b. education and recreation opportunities for juveniles  
14 in secure detention~~s~~, and
- 15 c. accreditation by the American Correctional  
16 Association.

17 As a condition of continuing eligibility for grants or contracts,  
18 secure juvenile detention services and facilities shall be certified  
19 by the Board within two (2) years of the date of the initial grant  
20 or contract.

21 3. When placing a juvenile into detention, the Office of  
22 Juvenile Affairs shall provide to the operator of such detention  
23 facility any and all medication prescribed for such juvenile at the  
24 time of placement. In the event that such prescription medication

1 is not available at the time of placement, the Office of Juvenile  
2 Affairs shall provide, at no charge to the detention center or  
3 operator, such medication to the operator no later than forty-eight  
4 (48) hours following the placement.

5       E. The State Department of Health, with the assistance of the  
6 Office of Juvenile Affairs, shall establish standards for the  
7 certification of jails, adult lockups, and adult detention  
8 facilities used to detain juveniles. Such standards shall include  
9 but not be limited to: separation

- 10       1. Separation of juveniles from adults; supervision
- 11       2. Supervision of juveniles; and health
- 12       3. Health and safety measures for juveniles.

13       The Department of Health is authorized to inspect any jail, adult  
14 lockup, or adult detention facility for the purpose of determining  
15 compliance with such standards. No jail, adult lockup, or other  
16 adult detention facility shall be used to detain juveniles unless  
17 such jail, adult lockup, or other adult detention facility complies  
18 with the standards established by the Department of Health and is  
19 designated as a place for the detention of juveniles by the judge  
20 having juvenile docket responsibility in the county from a list of  
21 eligible facilities supplied by the Department of Health.

22       The development and approval of the standards provided for in  
23 this paragraph subsection shall comply with the provisions of the  
24 Administrative Procedures Act.

1           F. The State Board of Health shall promulgate rules providing  
2 for the routine recording and reporting of the use of any adult  
3 jail, lockup or other adult facility for the detention of any person  
4 under the age of eighteen (18).

5           1. For the purpose of ensuring the uniformity and compatibility  
6 of information related to the detention of persons under age  
7 eighteen (18), said rules shall be reviewed and approved by the  
8 Oklahoma Commission on Children and Youth prior to their adoption by  
9 the Board.~~and~~.

10           2. Records of detention shall be reviewed during each routine  
11 inspection of adult jails, lockups or other adult detention  
12 facilities inspected by the State Department of Health and a  
13 statistical report of said detentions shall be submitted to the  
14 Office of Juvenile Affairs at least every six (6) months in a form  
15 approved by the Board of Juvenile Affairs.

16           SECTION 2. This act shall become effective November 1, 2026.

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18           60-2-15940           CMA           02/04/26

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