

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR
5 SENATE BILL NO. 1806

By: Paxton and Nice

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to foster care; directing the
9 Department of Human Services to implement certain
10 extension of foster care services; making services
11 voluntary; establishing certain qualifications;
12 directing promulgation of rules; requiring the
13 Department to seek available funding; amending 10
14 O.S. 2021, Sections 7505-1.1 and 7510-1.5, which
15 relate to the Oklahoma Adoption Code; modifying
16 applicability of certain provisions; allowing certain
17 continuance of adoption assistance benefits under
18 specified conditions; providing certain construction;
19 updating statutory language; providing for
20 codification; providing an effective date; and
21 declaring an emergency.

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

25 SECTION 1. NEW LAW A new section of law to be codified
26 in the Oklahoma Statutes as Section 1-7-112a of Title 10A, unless
27 there is created a duplication in numbering, reads as follows:

28 A. The Department of Human Services shall implement an
29 extension of foster care services to support individuals
30 transitioning into adulthood who meet the requirements provided by
31 this section. Participation in extended services under this section

1 shall be a voluntary election by the qualifying individual.

2 Services shall be available to any individual in this state who
3 meets the requirements of subsection B of this section and who:

4 1. Was in the custody of the Department at the time of the
5 individual's eighteenth birthday but is less than twenty-one (21)
6 years of age; or

7 2. Achieved legal permanency by guardianship or adoption at
8 sixteen (16) years of age or older but is less than twenty-one (21)
9 years of age and the individual does not receive care from the
10 parent or legal guardian.

11 B. Any individual described in subsection A of this section may
12 receive extended services from the Department under this section if
13 the individual is:

14 1. Completing secondary education or a program leading to an
15 equivalent credential;

16 2. Enrolled in an institution that provides postsecondary or
17 vocational education;

18 3. Participating in a program or activity designed to promote,
19 or remove barriers to, employment;

20 4. Employed for at least eighty (80) hours per month; or

21 5. Incapable of doing any of the activities described in
22 paragraphs 1 through 4 of this subsection due to a medical
23 condition, which incapability is supported by regularly updated
24 information in the case plan of the individual. In such a case, the

1 individual shall be in compliance with a course of treatment as
2 recommended by the Department.

3 C. 1. The Director of Human Services shall promulgate rules to
4 implement the provisions of this section.

5 2. The Department of Human Services shall seek available
6 funding to implement the provisions of this section.

7 SECTION 2. AMENDATORY 10 O.S. 2021, Section 7505-1.1, is
8 amended to read as follows:

9 Section 7505-1.1. A. Unless otherwise ordered by the district
10 court exercising jurisdiction over the adoption proceeding, all
11 hearings held in proceedings pursuant to the Oklahoma Adoption Code
12 shall be confidential and shall be held in closed court without
13 admittance of any person other than interested parties and their
14 counsel.

15 B. All papers, records, and books of proceedings in adoption
16 cases and any papers, records, and books relating to such
17 proceedings:

18 1. Shall be kept as a permanent record of the court and
19 maintained in a separate file by the court clerk; and

20 2. Shall be confidential and shall not be open to inspection or
21 copy except as authorized in Sections 7504-1.2, 7505-3.2, 7505-6.6,
22 7508-1.2, and 7508-1.3 of this title or upon order of a court of
23 record for good cause shown.

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1 C. Upon application and notice to the person or agency in whose
2 possession the records being sought are held, and for good cause
3 being shown, any court of record may, by written order reciting its
4 findings, permit the necessary information to be released, or may
5 restrict the purposes for which it shall be used. The findings
6 shall include the reasons the information being sought cannot be
7 obtained through the methods authorized by Sections 7504-1.2, 7505-
8 3.2, 7505-6.6, 7508-1.2, and 7508-1.3 of this title.

9 D. The provisions of this section shall not prohibit ~~persons~~:

10 1. Persons employed by the court, the Department of Human
11 Services, a child-placing agency, an attorney participating or
12 assisting in a direct placement adoption or any physician, minister,
13 or other person or entity assisting or participating in an adoption
14 from providing partial or complete identifying information between a
15 biological parent and prospective adoptive or adoptive parent if a
16 biological parent and a prospective adoptive or adoptive parent
17 mutually agree to share specific identifying information and each
18 gives written, signed notice of their agreement to the court, the
19 Department of Human Services, the child-placing agency, or any
20 attorney participating or assisting in the direct placement adoption
21 pursuant to the Oklahoma Adoption Code; or

22 2. The Department from sharing adoptive information necessary
23 to ensure continuity of care for an adoptee who wishes to
24 participate in extended foster care services under Section 1 of this

1 act or sharing adoptive information necessary to carry out the
2 Department's duties under Section 7510-1.5 of this title.

3 E. Any person in charge of adoption records or having access to
4 adoption records or information who discloses any information,
5 including, but not limited to, all records and reports relevant to
6 the case and any records and reports of examination of the minor's
7 parent or other custodian pertaining to an adoption proceeding,
8 contrary to the provisions of this section, upon conviction thereof,
9 shall be guilty of a misdemeanor.

10 SECTION 3. AMENDATORY 10 O.S. 2021, Section 7510-1.5, is
11 amended to read as follows:

12 Section 7510-1.5. A. 1. When a parent or parents are found
13 and approved for adoption of a child who is determined by the
14 Department of Human Services to be eligible for adoption assistance
15 pursuant to the Oklahoma Adoption Assistance Act, and before the
16 final decree of adoption is entered, there must be a signed written
17 agreement between the prospective adoptive parent or parents and the
18 Department.

19 2. Adoption assistance in individual cases may commence with
20 the adoptive placement or at the time of finalization of the
21 adoption. Adoption assistance may be for special services only, or
22 for monthly money payments, and either for a limited period, or for
23 a long term, or for any combination of the foregoing.

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1 Eligibility for and the rate of monthly adoption assistance
2 payments shall be determined by the Department in accordance with
3 rules promulgated by the ~~Commission for~~ Director of Human Services.

4 B. When an otherwise eligible child is determined to have a
5 causative, preexisting condition which was not identified or known
6 prior to the legal finalization of the adoption and which has
7 resulted in a severe medical or psychiatric condition that requires
8 extensive treatment, hospitalization, or institutionalization, an
9 adoption assistance agreement may be approved by the Department
10 after the final decree of adoption has been entered. In the event
11 an adoption assistance agreement is approved that provides for
12 monthly adoption assistance payments, the adoptive parents may also
13 be entitled to receive retroactive adoption assistance payments for
14 a period not to exceed the two (2) months prior to the date the
15 adoption assistance agreement was approved.

16 C. Any child who met the requirements of the provisions of
17 Sections 7510-1.2 and 7510-1.4 of this title, and was determined
18 eligible for Oklahoma adoption assistance with respect to a prior
19 adoption, and is available for adoption because the prior adoption
20 has been dissolved and the parental rights of the adoptive parents
21 have been terminated or because the adoptive parents of the child
22 have died, shall be eligible for Oklahoma adoption assistance with
23 respect to any subsequent adoption.

1 D. 1. When adoption assistance benefits are for more than one
2 (1) year, the Department shall send the adoptive parent or parents
3 an Adoption Assistance Annual Review request and assure that the
4 child who has attained the minimum age for compulsory school
5 attendance and is eligible for an adoption assistance payment under
6 Title IV-E of the Social Security Act, 42 U.S.C., Section 670 et
7 seq. is:

- 8 a. enrolled in an institution that provides elementary or
9 secondary education as determined under the law of
10 this state or other jurisdiction in which the
11 institution is located,
- 12 b. instructed in elementary or secondary education by any
13 other means legally authorized,
- 14 c. in an independent study elementary or secondary
15 education program in accordance with the law of this
16 state or other jurisdiction in which the program is
17 located, that is administered by the local school or
18 school district, or
- 19 d. incapable of attending school on a full-time basis due
20 to a documented medical condition supported by regular
21 updates.

22 2. The adoptive parent or parents shall at all times keep the
23 Department informed of circumstances including, but not limited to,
24 whether the adoptive parent or parents continue to be legally

1 responsible for support of the child which would make them
2 ineligible for such assistance payments or eligible for assistance
3 payments in a different amount.

4 3. The Department is authorized and directed to make a review
5 of each adoption assistance agreement annually to assure that the
6 parents are fulfilling their obligations under the agreement.

7 4. No payment may be made to any parents with respect to any
8 child who has attained the age of eighteen (18) years, except:

9 a. with respect to an adoption assistance agreement
10 entered into prior to the effective date of this act,
11 a child may continue to receive assistance until the
12 child reaches the age of nineteen (19) years if the
13 child:

14 ~~a.~~ (1) continues to attend high school or pursues
15 General ~~Education~~ Educational Development, or
16 ~~b.~~ (2) meets the criteria for an adoption assistance
17 difficulty of care rate as determined by the
18 Department, or

19 b. with respect to all other adoption agreements, an
20 individual who attained sixteen (16) years of age
21 prior to the effective date of the adoption assistance
22 agreement may continue to receive assistance until the
23 individual reaches twenty-one (21) years of age if the
24 individual is:

- 1 (1) completing secondary education or a program
- 2 leading to an equivalent credential,
- 3 (2) enrolled in an institution that provides
- 4 postsecondary or vocational education,
- 5 (3) participating in a program or activity designed
- 6 to promote, or remove barriers to, employment,
- 7 (4) employed for at least eighty (80) hours per
- 8 month, or
- 9 (5) incapable of doing any of the activities
- 10 described in divisions 1 through 4 of this
- 11 subparagraph due to a medical condition, which
- 12 incapability is supported by regularly updated
- 13 information in the case plan of the individual.

14 5. Termination or modification of the adoption assistance
15 agreement may be requested by the adoptive parent or parents at any
16 time.

17 6. No payment may be made to adoptive parents if the Department
18 determines that the parents are no longer legally responsible for
19 the support of the child or that the child is no longer receiving
20 any financial support from such parents.

21 E. A child for whom an adoption assistance agreement has been
22 reached with the Department shall remain eligible and receive
23 adoption assistance benefits regardless of the domicile or residence
24 of the adopting parent or parents at any given time.

1 F. All records regarding adoption assistance shall be
2 confidential and may be disclosed only in accordance with the
3 provisions of the Oklahoma Adoption Code; provided, that nothing in
4 this subsection shall be construed to prohibit the Department from
5 disclosing the amount of adoption assistance paid on behalf of a
6 child to:

7 1. A judge presiding over a matter in which support or custody
8 of the subject child is at issue; or

9 2. The Department's Office of Inspector General, for purposes
10 of investigating allegations of fraud against the State of Oklahoma
11 or its programs.

12 SECTION 4. This act shall become effective July 1, 2026.

13 SECTION 5. It being immediately necessary for the preservation
14 of the public peace, health or safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

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