

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1659

By: Jett

AS INTRODUCED

An Act relating to children; amending 10A O.S. 2021, Section 1-6-103, as amended by Section 1, Chapter 215, O.S.L. 2025 (10A O.S. Supp. 2025, Section 1-6-103), which relates to inspection of records without court order; removing certain condition for access by members of the Legislature; updating statutory language; updating statutory reference; and providing an effective date.

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

SECTION 1. AMENDATORY 10A O.S. 2021, Section 1-6-103, as amended by Section 1, Chapter 215, O.S.L. 2025 (10A O.S. Supp. 2025, Section 1-6-103), is amended to read as follows:

Section 1-6-103. A. Juvenile court records and Department of Human Services agency records pertaining to a child may be inspected, and their contents shall be disclosed, without a court order to the following persons upon showing of proper credentials and pursuant to their lawful duties:

1. The court having the child currently before it in any proceeding pursuant to this title, any district court or tribal court to which such proceedings may be transferred, employees and

1 officers of the court in the performance of their duties, including,
2 but not limited to, guardians ad litem appointed by the court, and
3 court-appointed special advocates;

4 2. A district attorney, United States Attorney, or Attorney
5 General of this or another state and the employees of such offices
6 in the course of their official duties pursuant to this title or the
7 prosecution of crimes against children, or upon their request in
8 their official capacity as advisor in a grand jury proceeding;

9 3. The attorney representing a child who is the subject of a
10 proceeding pursuant to the provisions of this title or other
11 proceeding where child custody or visitation is at issue;

12 4. Employees of juvenile bureaus in the course of their
13 official duties pursuant to this title, and employees of the
14 Department of Human Services in the course of their official duties;

15 5. Employees of a law enforcement agency of this or another
16 state or military enclave and employees of a child protective
17 service of another state or military enclave in the course of their
18 official duties pertaining to investigations of a report of known or
19 suspected child abuse or neglect or crimes against children or for
20 the purpose of determining whether to place a child in protective
21 custody;

22 6. The Oklahoma Commission on Children and Youth as provided by
23 Sections 601.2 and 601.6 of Title 10 of the Oklahoma Statutes;

24 7. The Office of Juvenile Affairs;

1 8. A federally recognized Indian tribe in which the child who
2 is the subject of the record is a member or is eligible to become a
3 member of the tribe and is the biological child of a member of an
4 Indian tribe pursuant to the provisions of the ~~Federal~~ federal
5 Indian Child Welfare Act of 1978 and the Oklahoma Indian Child
6 Welfare Act; provided such Indian tribe, in the course of its
7 official duties, is:

- 8 a. investigating a report of known or suspected child
9 abuse or neglect or crimes against children or for the
10 purpose of determining whether to place a child in
11 protective custody,
12 b. providing services to or for the benefit of a child
13 including, but not limited to, protective, emergency,
14 social, and medical services, or
15 c. the tribe, the tribal court, or the tribal child
16 welfare program has asserted jurisdiction or
17 intervened in any case in which the child is the
18 subject of the proceedings or is a party to the
19 proceedings pursuant to the authority provided in the
20 Oklahoma Indian Child Welfare Act.

21 The records that are to be provided to Indian tribes under this
22 subsection shall include all case records, reports, and documents as
23 defined in Section 1-6-101 of this title;
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1 9. The Governor or to any person the Governor designates, in
2 writing;

3 10. Any federal official of the United States Department of
4 Health and Human Services;

5 11. Any member of the Legislature ~~approved in writing by the~~
6 ~~Speaker of the House of Representatives or the President Pro Tempore~~
7 ~~of the Senate~~ in the course of their official duties;

8 12. A foster parent, with regard to records concerning the
9 social, medical, psychological, or educational needs of a child
10 currently placed with that foster parent or of a child being
11 considered for placement with that foster parent;

12 13. An employee of any state or federal corrections or law
13 enforcement agency in the performance of the official duties of the
14 employee concerning presentence investigations or supervision of a
15 parent of an alleged or adjudicated deprived child, or the legal
16 guardian, custodian, or any other adult member of the child's home
17 who is responsible for the health, safety, or welfare of the child;

18 14. An employee of a state agency of this or another state in
19 the performance of the official duties of the employee concerning
20 the establishment of paternity or the establishment or enforcement
21 of a child support order or other entitlement for the benefit of a
22 child; provided, disclosure shall be limited to information directly
23 related to the purpose of such disclosure;

1 15. Any member of a city-county ~~Health Department~~ health
2 department Fetal Infant Mortality Review (FIMR) in the performance
3 of the official duties of the member concerning investigations of
4 fetal and infant mortalities; provided, disclosure shall be limited
5 to information directly related to the purpose of such disclosure;

6 16. Any designated federal authorities at the federal military
7 installation where a service member is assigned, when the child is a
8 member of an active duty military family, as provided by paragraph 4
9 of subsection A of Section 1-2-102 of this title;

10 17. Any member of the Child Welfare Review Committee for the
11 Death and Near Death of Children With Disabilities as established by
12 Section 1-10-103 of this title; and

13 18. The Office of Client Advocacy within the State Department
14 of Health.

15 B. In addition to the persons listed in subsection A of this
16 section, juvenile court records may be inspected, and their contents
17 shall be disclosed, without a court order to the following persons
18 upon showing of proper credentials and pursuant to their lawful
19 duties:

20 1. Employees of court-appointed special advocate programs, as
21 defined in Section 1-1-105 of this title, in the course of their
22 official duties pertaining to recruiting, screening, training,
23 assigning cases, supervising, and supporting volunteers in their
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1 roles as guardian ad litem pursuant to Section 1-4-306 of this
2 title;

3 2. Members of postadjudication review boards established
4 pursuant to the provisions of Section 1116.2 of Title 10 of the
5 Oklahoma Statutes, the Child Death Review Board, and
6 multidisciplinary personnel. In addition to juvenile court records,
7 members of such postadjudication review boards may inspect, without
8 a court order, information that includes, but is not limited to:

- 9 a. psychological and medical records,
- 10 b. placement history and information, including the names
11 and addresses of foster parents,
- 12 c. family assessments,
- 13 d. treatment or service plans, and
- 14 e. school records;

15 3. The Department of Human Services or other public or private
16 agency or individual having court-ordered custody or physical
17 custody pursuant to Department placement of the child, or conducting
18 a child abuse or neglect investigation of the child who is the
19 subject of the record. In addition to juvenile court records,
20 employees of the Department may inspect, without a court order and
21 upon a showing of proper credentials and pursuant to their lawful
22 duties, information that includes, but is not limited to:

- 23 a. psychological and medical records, and
- 24 b. nondirectory education records;

1 4. The child who is the subject of the record and the parents,
2 legal guardian, custodian, or foster parent of such child; and

3 5. A person authorized by the court to conduct bona fide
4 research, provided such research may not publish the names or
5 identities of parents, children, or other persons contained in the
6 records.

7 C. In addition to the persons and entities named in subsection
8 A of this section, Department of Human Services agency records may
9 be inspected, and their contents shall be disclosed, without a court
10 order to the following persons upon showing of proper credentials
11 and pursuant to their lawful duties:

12 1. Postadjudicatory review boards, court-appointed special
13 advocates, and members of the Child Death Review Board;

14 2. Any district court which has ordered a home study by the
15 Department in an action for divorce, annulment, custody of a child,
16 or appointment of a legal guardian of a child, or any subsequent
17 proceeding in such actions; provided, however, the Department may
18 limit disclosure in the home study to summaries or to information
19 directly related to the purpose of the disclosure;

20 3. Members of multidisciplinary teams or multidisciplinary
21 personnel designated by the Department, investigating a report of
22 known or suspected child abuse or neglect or providing services to a
23 child or family which is the subject of the report;

1 4. A physician who has before him or her a child whom the
2 physician reasonably suspects may be abused or neglected or any
3 health care or mental health professionals involved in the
4 evaluation or treatment of the child or the parents, legal guardian,
5 foster parent, custodian, or other family members of the child;

6 5. Any public or private agency or person authorized by the
7 Department to diagnose, or provide care, treatment, supervision, or
8 other services to a child who is the subject of a report or record
9 of child abuse or neglect; provided, the Department may limit such
10 disclosure to summaries or to information directly necessary for the
11 purpose of such disclosure;

12 6. Any person or agency for research purposes, if all of the
13 following conditions are met:

- 14 a. the person or agency conducting the research is
15 employed by ~~the State of Oklahoma~~ this state or is
16 under contract with this state and is authorized by
17 the Department to conduct the research, and
18 b. the person or agency conducting the research ensures
19 that all documents containing identifying information
20 are maintained in secure locations and access to the
21 documents by unauthorized persons is prohibited; that
22 no identifying information is included in documents
23 generated from the research conducted; and that all
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1 identifying information is deleted from documents used
2 in the research when the research is completed;

3 7. The Oklahoma Health Care Authority; and

4 8. A medical examiner when such person is determining the cause
5 of death of a child.

6 D. In accordance with the rules promulgated for such purpose
7 pursuant to Section 620.6 of Title 10 of the Oklahoma Statutes,
8 records listed in subsection A of Section 1-6-102 of this title may
9 be inspected and their contents disclosed without a court order to
10 participating agencies.

11 E. The court may disclose to an employee of an out-of-state
12 entity, licensed to perform adoption home studies in that state,
13 whether the prospective adoptive parent has had parental rights to a
14 child terminated in ~~Oklahoma~~ this state or whether the prospective
15 adoptive parent has relinquished parental rights to a child in
16 ~~Oklahoma~~ this state.

17 F. Nothing in this section shall be construed as prohibiting
18 the Department from disclosing such confidential information as may
19 be necessary to secure appropriate care, treatment, protection, or
20 supervision of a child alleged to be abused or neglected.

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