

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2097

By: Nice

6 AS INTRODUCED

7 An Act relating to the Oklahoma Juvenile Code;  
8 amending 10A O.S. 2021, Section 2-1-103, which  
9 relates to definitions; modifying definitions; and  
providing an effective date.

10  
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 10A O.S. 2021, Section 2-1-103, is  
13 amended to read as follows:

14 Section 2-1-103. When used in the Oklahoma Juvenile Code,  
15 unless the context otherwise requires:

16 1. "Adjudicatory hearing" means a hearing to determine whether  
17 the allegations of a petition filed pursuant to the provisions of  
18 Chapter 2 of the Oklahoma Juvenile Code are supported by the  
19 evidence and whether a juvenile should be adjudged to be a ward of  
20 the court;

21 2. "Alternatives to secure detention" means those services and  
22 facilities which are included in the State Plan for the  
23 Establishment of Juvenile Detention Services adopted by the Board of  
24 Juvenile Affairs and which are used for the temporary detention of

1      juveniles in lieu of secure detention in a juvenile detention  
2      facility;

3            3. "Behavioral health" means mental health, substance abuse or  
4      co-occurring mental health and substance abuse diagnoses, and the  
5      continuum of mental health, substance abuse, or co-occurring mental  
6      health and substance abuse treatment;

7            4. "Behavioral health facility" means a mental health or  
8      substance abuse facility as provided for by the Inpatient Mental  
9      Health and Substance Abuse Treatment of Minors Act;

10           5. "Board" means the Board of Juvenile Affairs;

11           6. "Child" or "juvenile" means any person under eighteen (18)  
12      years of age, except for any person charged and convicted for any  
13      offense specified in the Youthful Offender Act or against whom  
14      judgment and sentence has been deferred for such offense, or any  
15      person who is certified as an adult pursuant to any certification  
16      procedure authorized in the Oklahoma Juvenile Code for any offense  
17      which results in a conviction or against whom judgment and sentence  
18      has been deferred for such offense;

19           7. "Child or juvenile in need of mental health and substance  
20      abuse treatment" means a juvenile in need of mental health and  
21      substance abuse treatment as defined by the Inpatient Mental Health  
22      and Substance Abuse Treatment of Minors Act;

23           8. "Child or juvenile in need of supervision" means a juvenile  
24      who:

1           a. has repeatedly disobeyed reasonable and lawful  
2            commands or directives of the parent, legal guardian,  
3            or other custodian,  
4           b. is willfully and voluntarily absent from his or her  
5            home without the consent of the parent, legal  
6            guardian, or other custodian for a substantial length  
7            of time or without intent to return,  
8           c. is willfully and voluntarily absent from school, as  
9            specified in Section 10-106 of Title 70 of the  
10           Oklahoma Statutes, if the juvenile is subject to  
11           compulsory school attendance, or  
12           d. has been served with an ex parte or final protective  
13           order pursuant to the Protection from Domestic Abuse  
14           Act, or  
15           e. is under twelve (12) years of age and is alleged to  
16           have committed an act that would constitute a felony  
17           offense or serious misdemeanor if committed by a child  
18           of sufficient age to be adjudicated a delinquent but  
19           who is not subject to delinquency jurisdiction solely  
20           due to the child's age;

21       9. "Community-based" means a facility, program or service

22       located near the home or family of the juvenile, and programs of

23       community prevention, diversion, supervision and service which

24       maintain community participation in their planning, operation, and

1 evaluation. These programs may include but are not limited to  
2 medical, educational, vocational, social, and psychological  
3 guidance, training, counseling, alcoholism treatment, drug  
4 treatment, prevention and diversion programs, diversion programs for  
5 first-time offenders, transitional living, independent living and  
6 other rehabilitative services;

7 10. "Community intervention center" means a facility which  
8 serves as a short-term reception facility to receive and hold  
9 juveniles for an alleged violation of a municipal ordinance, state  
10 law or who are alleged to be in need of supervision, as provided for  
11 in subsection D of Section 2-7-305 of this title;

12 11. "Core community-based" means the following community-based  
13 facilities, programs or services provided through contract with the  
14 Office of Juvenile Affairs as provided in Section 2-7-306 of this  
15 title:

- 16 a. screening, evaluation and assessment which includes a  
17 face-to-face screening and evaluation to establish  
18 problem identification and to determine the risk level  
19 of a child or adolescent and may result in clinical  
20 diagnosis or diagnostic impression,
- 21 b. treatment planning which includes preparation of an  
22 individualized treatment plan which is usually done as  
23 part of the screening, evaluation and assessment,

- c. treatment plan reviewing which includes a comprehensive review and evaluation of the effectiveness of the treatment plan,
- d. individual counseling which includes face-to-face, one-on-one interaction between a counselor and a juvenile to promote emotional or psychological change to alleviate the issues, problems, and difficulties that led to a referral, including ongoing assessment of the status and response of the juvenile to treatment as well as psychoeducational intervention,
- e. group counseling which includes a method of treating a group of individuals using the interaction between a counselor and two or more juveniles or parents or guardians to promote positive emotional or behavioral change, not including social skills development or daily living skills,
- f. family counseling which includes a face-to-face interaction between a counselor and the family of the juvenile to facilitate emotional, psychological or behavior changes and promote successful communication and understanding,
- g. crisis intervention counseling which includes unanticipated, unscheduled face-to-face emergency intervention provided by a licensed level or qualified

1 staff with immediate access to a licensed provider to  
2 resolve immediate, overwhelming problems that severely  
3 impair the ability of the juvenile to function or  
4 maintain in the community,

5 h. crisis intervention telephone support which includes  
6 supportive telephone assistance provided by a licensed  
7 level provider or qualified staff with immediate  
8 access to a licensed provider to resolve immediate,  
9 overwhelming problems that severely impair the ability  
10 of the juvenile to function or maintain in the  
11 community,

12 i. case management which includes planned linkage,  
13 advocacy and referral assistance provided in  
14 partnership with a client to support that client in  
15 self-sufficiency and community tenure,

16 j. case management and home-based services which includes  
17 that part of case management services dedicated to  
18 travel for the purpose of linkage, advocacy and  
19 referral assistance and travel to provide counseling  
20 and support services to families of children as needed  
21 to support specific youth and families in self-  
22 sufficiency and community tenure,

23 k. individual rehabilitative treatment which includes  
24 face-to-face service provided one-on-one by qualified

1 staff to maintain or develop skills necessary to  
2 perform activities of daily living and successful  
3 integration into community life, including educational  
4 and supportive services regarding independent living,  
5 self-care, social skills regarding development,  
6 lifestyle changes and recovery principles and  
7 practices,

8 1. group rehabilitative treatment which includes face-to-  
9 face group services provided by qualified staff to  
10 maintain or develop skills necessary to perform  
11 activities of daily living and successful integration  
12 into community life, including educational and  
13 supportive services regarding independent living,  
14 self-care, social skills regarding development,  
15 lifestyle changes and recovery principles and  
16 practices,

17 m. community-based prevention services which include  
18 services delivered in an individual or group setting  
19 by a qualified provider designed to meet the services  
20 needs of a child or youth and family of the child or  
21 youth who has been referred because of identified  
22 problems in the family or community. The group  
23 prevention planned activities must be focused on  
24 reducing the risk that individuals will experience

behavioral, substance abuse or delinquency-related problems. Appropriate curriculum-based group activities include, but are not limited to, First Offender groups, prevention and relationship enhancement groups, anger management groups, life skills groups, substance abuse education groups, smoking cessation groups, STD/HIV groups and parenting groups,

- n. individual paraprofessional services which include services delineated in the treatment plan of the juvenile which are necessary for full integration of the juvenile into the home and community, but do not require a professional level of education and experience. Activities include assisting families with Medicaid applications, assisting with school and General Educational Development (GED) enrollment, assisting youth with independent living arrangements, providing assistance with educational problems and deficiencies, acting as a role model for youth while engaging them in community activities, assisting youth in seeking and obtaining employment, providing transportation for required appointments and activities, participating in recreational activities and accessing other required community support

services necessary for full community integration and successful treatment,

- o. tutoring which includes a tutor and student working together as a learning team to bring about overall academic success, improved self-esteem and increased independence as a learner for the student,
- p. community relations which include public or community relations activities directed toward the community or public at large or any segment of the public to encourage understanding, accessibility and use of community-based facilities, programs or services,
- q. children's emergency resource centers that are community-based and that may provide emergency care and a safe and structured homelike environment or a host home for children providing food, clothing, shelter and hygiene products to each child served; after-school tutoring; counseling services; life-skills training; transition services; assessments; family reunification; respite care; transportation to or from school, doctors' appointments, visitations and other social, school, court or other activities when necessary; and a stable environment for children who have been detained as delinquent or in need of supervision and temporarily placed by a court, or

1                   children in crisis who are in custody of the Office of  
2                   Juvenile Affairs if permitted under the Office's  
3                   policies and regulations or who have been voluntarily  
4                   placed by a parent or custodian during a temporary  
5                   crisis,

6                   r. transitional living programs which include a  
7                   structured program to help older homeless youth  
8                   achieve self-sufficiency and avoid long-term  
9                   dependence on social services,

10                  s. community-at-risk services (C.A.R.S.) which include a  
11                  program provided to juveniles in custody or under the  
12                  supervision of the Office of Juvenile Affairs or a  
13                  juvenile bureau to prevent out-of-home placement and  
14                  to reintegrate juveniles returning from placements.

15                  The program shall include, but not be limited to,  
16                  treatment plan development, counseling, diagnostic and  
17                  evaluation services, mentoring, tutoring, and  
18                  supervision of youth in independent living,

19                  t. first offender programs which include alternative  
20                  diversion programs, as defined by Section 2-2-404 of  
21                  this title, and

22                  u. other community-based facilities, programs or services  
23                  designated by the Board as core community-based  
24                  facilities, programs or services;

1       12. "Day treatment" means a program which provides intensive  
2       services to juveniles who reside in their own home, the home of a  
3       relative, or a foster home. Day treatment programs include  
4       educational services and may be operated as a part of a residential  
5       facility;

6       13. "Delinquent child or juvenile" means a juvenile who:

7           a. has violated any federal or state law or municipal  
8           ordinance except a traffic statute or traffic  
9           ordinance or any provision of the Oklahoma Wildlife  
10           Conservation Code, the Oklahoma Vessel and Motor  
11           Regulation Act or the Oklahoma Boating Safety  
12           Regulation Act, or has violated any lawful order of  
13           the court made pursuant to the provisions of the  
14           Oklahoma Juvenile Code, ~~or~~

15           b. has habitually violated traffic laws, traffic  
16           ordinances or boating safety laws or rules, or

17           c. has committed an act which would be a crime or  
18           violation of a criminal law or ordinance if committed  
19           by an adult and was twelve (12) years of age or older  
20           when the act was committed. Any child who is under  
21           twelve (12) years of age when he or she is alleged to  
22           have committed any of the following offenses is within  
23           the jurisdiction of the juvenile court, which may

adjudicate the child to be a ward of the court as a delinquent:

- (1) murder in the first degree,
- (2) manslaughter in the first degree,
- (3) robbery with a dangerous weapon or a  
firearm,
- (4) rape by instrumentation,
- (5) forcible sodomy, or
- (6) rape in the first degree.

In order to ensure the safety and well-being of a child who is under twelve (12) years of age, and whose conduct, if committed by a child older than twelve (12) years of age, would otherwise subject the child to the jurisdiction of the juvenile court as a delinquent child, the state may initiate proceedings pursuant to the Inpatient Mental Health and Substance Abuse Treatment of Minors Act or paragraph 8 of this section, where the child's conduct or condition meets the statutory criteria for such proceedings;

14. "Dispositional hearing" means a hearing to determine the order of disposition which should be made with respect to a juvenile adjudged to be a ward of the court;

15. "Executive Director" means the Executive Director of the Office of Juvenile Affairs:

1       16. "Facility" means a place, an institution, a building or  
2 part thereof, a set of buildings, or an area whether or not  
3 enclosing a building or set of buildings which is used for the  
4 lawful custody and treatment of juveniles. A facility shall not be  
5 considered a correctional facility subject to the provisions of  
6 Title 57 of the Oklahoma Statutes;

7       17. "Graduated sanctions" means a calibrated system of  
8 sanctions designed to ensure that juvenile offenders face uniform,  
9 immediate, and consistent consequences that correspond to the  
10 seriousness of each offender's current offense, prior delinquent  
11 history, and compliance with prior interventions;

12       18. "Group home" means a residential facility with a program  
13 which emphasizes family-style living in a homelike environment.  
14 Said group home may also offer a program within the community to  
15 meet the specialized treatment needs of its residents. A group home  
16 shall not be considered a correctional facility subject to the  
17 provisions of Title 57 of the Oklahoma Statutes;

18       19. "Independent living program" means a program designed to  
19 assist a juvenile to enhance skills and abilities necessary for  
20 successful adult living and may include but shall not be limited to  
21 minimal direct staff supervision and supportive services in making  
22 the arrangements necessary for an appropriate place of residence,  
23 completing an education, vocational training, obtaining employment  
24 or other similar services;

1       20. "Institution" means a residential facility offering care  
2 and treatment for more than twenty residents. An institution shall  
3 not be considered a correctional facility subject to the provisions  
4 of Title 57 of the Oklahoma Statutes. Said institution may:

5           a. have a program which includes community participation  
6                   and community-based services, or  
7           b. be a secure facility with a program exclusively  
8                   designed for a particular category of resident;

9       21. "Juvenile detention facility" means a facility which is  
10 secured by locked rooms, buildings and fences, and meets the  
11 certification standards of the Office and which is entirely separate  
12 from any prison, jail, adult lockup, or other adult facility, for  
13 the temporary care of children. A juvenile detention facility shall  
14 not be considered a correctional facility subject to the provisions  
15 of Title 57 of the Oklahoma Statutes;

16       22. "Municipal juvenile facility" means a facility other than a  
17 community intervention center that accepts a child under eighteen  
18 (18) years of age charged with violating a municipal ordinance and  
19 meets the requirements of Section 2-2-102 of this title;

20       23. "Office" means the Office of Juvenile Affairs;

21       24. "Peer Review" means an initial or annual review and report  
22 to the Office of Juvenile Affairs of the organization, programs,  
23 records and financial condition of a Youth Services Agency by the  
24 Oklahoma Association of Youth Services, or another Oklahoma

1 nonprofit corporation whose membership consists solely of Youth  
2 Services Agencies and of whom at least a majority of Youth Services  
3 Agencies are members. An annual review may consist of a review of  
4 one or more major areas of the operation of the Youth Services  
5 Agency being reviewed;

6 25. "Person responsible for a juvenile's health or welfare"  
7 includes a parent, a legal guardian, custodian, a foster parent, a  
8 person eighteen (18) years of age or older with whom the juvenile's  
9 parent cohabitates or any other adult residing in the home of the  
10 child, an agent or employee of a public or private residential home,  
11 institution or facility, or an owner, operator, or employee of a  
12 child care facility as defined by Section 402 of Title 10 of the  
13 Oklahoma Statutes;

14 26. "Preliminary inquiry" or "intake" means a mandatory,  
15 preadjudicatory interview of the juvenile and, if available, the  
16 parents, legal guardian, or other custodian of the juvenile, which  
17 is performed by a duly authorized individual to determine whether a  
18 juvenile comes within the purview of the Oklahoma Juvenile Code,  
19 whether nonadjudicatory alternatives are available and appropriate,  
20 and if the filing of a petition is necessary;

21 27. "Probation" means a legal status created by court order  
22 whereby a delinquent juvenile is permitted to remain outside an  
23 Office of Juvenile Affairs facility directly or by contract under  
24 prescribed conditions and under supervision by the Office, subject

1 to return to the court for violation of any of the conditions  
2 prescribed;

3 28. "Rehabilitative facility" means a facility maintained by  
4 the state exclusively for the care, education, training, treatment,  
5 and rehabilitation of juveniles in need of supervision;

6 29. "Responsible adult" means a stepparent, foster parent,  
7 person related to the juvenile in any manner who is eighteen (18)  
8 years of age or older, or any person having an obligation and  
9 authority to care for or safeguard the juvenile in the absence of  
10 another person who is eighteen (18) years of age or older;

11 30. "Secure detention" means the temporary care of juveniles  
12 who require secure custody in physically restricting facilities:

- 13 a. while under the continuing jurisdiction of the court  
14 pending court disposition, or
- 15 b. pending placement by the Office of Juvenile Affairs  
16 after adjudication;

17 31. "Secure facility" means a facility, maintained by the state  
18 exclusively for the care, education, training, treatment, and  
19 rehabilitation of delinquent juveniles or youthful offenders which  
20 relies on locked rooms and buildings, and fences for physical  
21 restraint in order to control behavior of its residents. A secure  
22 facility shall not be considered a correctional facility subject to  
23 the provisions of Title 57 of the Oklahoma Statutes;

1       32. "Transitional living program" means a residential program  
2 that may be attached to an existing facility or operated solely for  
3 the purpose of assisting juveniles to develop the skills and  
4 abilities necessary for successful adult living. Said program may  
5 include but shall not be limited to reduced staff supervision,  
6 vocational training, educational services, employment and employment  
7 training, and other appropriate independent living skills training  
8 as a part of the transitional living program; and

9       33. "Youth Services Agency" means a nonprofit corporation with  
10 a local board of directors, officers and staff that has been  
11 designated by the Board as a Youth Services Agency, that is peer  
12 reviewed annually, and that provides community-based facilities,  
13 programs or services to juveniles and their families in the youth  
14 services service area in which it is located.

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

17       60-2-2654           CN           1/15/2026 12:29:28 PM