

1 ENGROSSED HOUSE  
2 BILL NO. 3212

By: Lawson of the House

and

Howard of the Senate

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7 An Act relating to children; amending 10 O.S. 2011,  
8 Section 405.3, as last amended by Section 2, Chapter  
9 253, O.S.L. 2017 (10 O.S. Supp. 2019, Section 405.3),  
10 which relates to the child care Restricted Registry;  
11 modifying notice requirements; requiring notice to  
12 individual and certain facilities prior to recording  
13 an individual on the Restricted Registry; and  
14 providing an effective date.

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

16 SECTION 1. AMENDATORY 10 O.S. 2011, Section 405.3, as  
17 last amended by Section 2, Chapter 253, O.S.L. 2017 (10 O.S. Supp.  
18 2019, Section 405.3), is amended to read as follows:

19 Section 405.3 A. The Department of Human Services shall  
20 promulgate rules to establish and maintain the Restricted Registry,  
21 accessible to the public through an online database, to address:

22 1. A procedure for recording individuals on the Restricted  
23 Registry resulting from:

- 24 a. a substantiated finding of abuse or neglect, as  
defined in Section 1-1-105 of Title 10A of the

1 Oklahoma Statutes, by an individual when the abuse or  
2 neglect occurred to a child while in the care of a  
3 facility licensed, certified, operated or contracted  
4 by or with the Department or the Office of Juvenile  
5 Affairs. The provisions of this subparagraph shall  
6 apply to:

7 (1) the Central Oklahoma Juvenile Center, the  
8 Oklahoma Juvenile Center for Girls and the  
9 Southwest Oklahoma Juvenile Center upon the  
10 effective date of this act, and

11 (2) facilities licensed by, certified by or  
12 contracting with the Office of Juvenile Affairs  
13 after November 1, 2018,

14 b. a revocation or denial of a child care facility  
15 license, and

16 c. a specified criminal history of an individual, as  
17 defined by rules promulgated by the Department;

18 2. A procedure to provide notice and an opportunity for review  
19 to the individual, and, if the individual is an employee of a  
20 facility licensed, certified, operated or contracted by or with the  
21 Office of Juvenile Affairs, to the facility prior to recording an  
22 individual on the Restricted Registry;

23 3. Disclosure requirements for information on the Restricted  
24 Registry; and

1 4. A procedure to prohibit licensure, ownership, employment,  
2 unsupervised access to children or residence in a facility or  
3 program licensed, certified, operated or contracted with by the  
4 Department or the Office of Juvenile Affairs.

5 B. The Restricted Registry shall include, but not be limited  
6 to:

- 7 1. The full name of the individual;
- 8 2. Information necessary to identify the individual; and
- 9 3. The date the individual was recorded on the Restricted  
10 Registry.

11 C. Nothing in this section shall be construed as to permit the  
12 placement of an operator of a child care facility on the Restricted  
13 Registry unless the operator:

- 14 1. Is the subject of a substantiated finding of child abuse or  
15 neglect;
- 16 2. Has been subject to a revocation or denial of a child care  
17 facility license; or
- 18 3. Has a specified criminal history, as defined by rules  
19 promulgated by the Department.

20 SECTION 2. This act shall become effective November 1, 2020.

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1 Passed the House of Representatives the 9th day of March, 2020.

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4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2020.

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9 Presiding Officer of the Senate