

1 ENGROSSED HOUSE
2 BILL NO. 3443

By: Dills and Hill of the House
and
Bice of the Senate

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7 An Act relating to children; allowing certain youth
8 over sixteen years of age to contract for housing;
9 allowing certain providers to issue certifications of
10 unaccompanied status; providing requirements for
11 certifications; requiring notice; providing for
12 report to Department of Human Services; directing
13 agency to promulgate rules; providing for
14 codification; and providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 1-9-125 of Title 10A, unless
18 there is created a duplication in numbering, reads as follows:

19 A. A youth who is at least sixteen (16) years of age may be
20 allowed to enter into contracts for obtaining housing if the youth
21 obtains a certification of unaccompanied status from a youth
22 services provider that is licensed, accredited, monitored or
23 contracted by a state agency to provide care for unaccompanied youth
24 under this section.

B. The certification must show that the provider has determined
that the youth:

1 1. Is homeless or a victim of domestic violence or child abuse
2 as defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes;

3 2. Is self-supporting without physical or financial support
4 from a parent or legal guardian;

5 3. Is not in the custody of the Department of Human Services,
6 the Office of Juvenile Affairs or an Indian tribe; and

7 4. Is not currently the subject of an ongoing juvenile deprived
8 action in any district or tribal court.

9 C. The provider shall issue the certification fourteen (14)
10 days after sending notice via certified mail, return receipt
11 requested, to the youth's parent or legal guardian. The notice
12 shall include the youth's full name, date of birth, birthplace and a
13 statement that the child is seeking to be certified by the agency as
14 an unaccompanied youth.

15 If, after due diligence, the provider is unable to identify the
16 whereabouts of the youth's parent or legal guardian, notice to the
17 parent or legal guardian shall not be required.

18 D. If the child is a member or eligible for enrollment in a
19 federally recognized Indian tribe, the provider shall provide notice
20 to the tribe's child welfare department, or other designee, prior to
21 issuing the certification.

22 E. In the event that the youth's parent or legal guardian
23 contacts the provider and the provider believes that returning home
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1 would place the youth at risk of physical or emotional harm, the
2 provider shall make a report to the Department of Human Services.

3 F. A certification of unaccompanied status under this section
4 shall not deprive the parent or legal guardian of any parental or
5 legal authority regarding the care and custody of the youth.

6 G. The Department of Human Services shall have the authority to
7 promulgate rules for the purposes of administering this section.

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

9 Passed the House of Representatives the 3rd day of March, 2020.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ___ day of _____, 2020.

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Presiding Officer of the Senate

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