

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 1407

By: Thompson (Roger) and Floyd
of the Senate

3

and

4

George of the House

5

6

7 An Act relating to the Department of Public Safety;
8 stating legislative findings; authorizing creation of
9 Oklahoma child abduction response teams; defining
10 terms; establishing multi-agency elements; requiring
11 certain deposits to the Department of Public Safety
12 Restricted Revolving Fund; giving certain
13 authorizations to Commissioner of Public Safety;
14 authorizing Commissioner to establish certain
15 policies; establishing elements of committee
16 membership; establishing certain requirements of
17 response plans; requiring certain notice; authorizing
18 use of automated license plate readers; mandating
19 certain training; making an appropriation; providing
20 for noncodification; providing for codification;
21 providing an effective date; and declaring an
22 emergency.

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19 AUTHOR: Add the following Senate Coauthor: Burns

20 AMENDMENT NO. 1. Strike the title, enacting clause, and entire bill
21 and insert:

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23 "[Department of Public Safety - legislative findings

24 - Oklahoma child abduction response teams - terms -

1 multi-agency elements - Department of Public Safety
2 Restricted Revolving Fund - Commissioner of Public
3 Safety - policies - committee membership - response
4 plans - notice - automated license plate readers -
5 training - noncodification - codification -
6 effective date -
7 emergency]

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

11 SECTION 1. NEW LAW A new section of law not to be
12 codified in the Oklahoma Statutes reads as follows:

13 It is the finding of the Legislature that abduction is a serious
14 threat to the health and safety of minors in this state. The
15 immediate notification and response to a child abduction greatly
16 increases the chances of a positive outcome. Oklahoma child
17 abduction response teams (OCARTs) are being created to facilitate
18 efficient, effective, and coordinated law enforcement and social
19 services responses to child abductions.

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 2-140a of Title 47, unless there
22 is created a duplication in numbering, reads as follows:
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24

1 A. The Department of Public Safety is hereby authorized to
2 create and administer Oklahoma child abduction response teams
3 (OCARTs) for the purposes of mitigating child endangerment.

4 B. For purposes of this section:

5 1. "Commissioner" means the Commissioner of the Department of
6 Public Safety;

7 2. "Custodial child abduction" means the abduction of a child
8 under the age of eighteen (18) by a custodial parent where a
9 reasonable and articulable suspicion exists that the child is in
10 imminent danger;

11 3. "Missing child" means a child under the age of eighteen (18)
12 who is unaccounted for where a reasonable and articulable suspicion
13 exists that the child is in imminent danger;

14 4. "Non-custodial child abduction" means the abduction of a
15 child under the age of eighteen (18) by the non-custodial parent;
16 and

17 5. "Verified child abduction" means the confirmation of a
18 reasonable suspicion that a missing child or the victim of a
19 custodial child abduction or non-custodial child abduction is in
20 imminent danger.

21 C. 1. a. The Commissioner shall create a network of Oklahoma
22 child abduction response teams in cooperation with
23 federal, state, tribal, county, and municipal law
24 enforcement agencies, and the appropriate social

1 services agencies. The Commissioner is authorized to
2 enter into agreements with any governmental agency,
3 private person or entity, or not-for-profit
4 organization to effectuate the purposes of this act.

5 b. Each member agency of an OCART committee is
6 responsible for its own acts or omissions under The
7 Governmental Tort Claims Act, or otherwise under state
8 or federal law.

9 c. When activated pursuant to this section, member
10 agencies are exempt from the Oklahoma Central
11 Purchasing Act.

12 2. The Commissioner is authorized to accept contributions,
13 donations, and gifts in support of OCART programs. All monies
14 received by the Commissioner pursuant to this subsection shall be
15 deposited to the credit of the Department of Public Safety
16 Restricted Revolving Fund and shall be expended by the Department
17 solely for the purposes of the operation of OCART programs. All
18 other property received by the Commissioner or designee pursuant to
19 this subsection shall be held by the Department in trust under the
20 terms and conditions imposed by the donors and the title to any and
21 all property acquired, granted, or donated to the Department shall
22 be taken in the name of the state to be held for the use and benefit
23 of education programs of the Department under the conditions of the
24 grants or donations.

1 3. The Commissioner is authorized to establish policies and
2 procedures and promulgate rules to effectuate the purposes of this
3 act.

4 D. 1. The Commissioner is authorized to employ an OCART
5 coordinator to assist in administering the provisions of this act.
6 The Commissioner shall create local OCART committees to effectuate
7 the purposes of this act. The number, location, and boundaries of
8 the regions are to be determined by the Commissioner. The members
9 of each Oklahoma child abduction response team shall be peace
10 officers, communications personnel, administrative personnel,
11 support personnel, and multidisciplinary professionals reasonably
12 necessary to effectuate the purposes of this act.

13 2. The OCART committee shall consist of:

- 14 a. the OCART coordinator who shall act as chairperson,
- 15 b. one representative of the Oklahoma State Bureau of
16 Investigation,
- 17 c. one representative who is an active elected sheriff
18 from the applicable region or a designee,
- 19 d. one representative who is an active chief of police
20 from the applicable region or a designee,
- 21 e. one representative from the Department of Mental
22 Health and Substance Abuse Services,
- 23 f. one elected district attorney from the applicable
24 region or a designee,

- 1 g. one representative from the Oklahoma Counter Terrorism
- 2 Intelligence Center (OCTIC),
- 3 h. one representative from the Oklahoma State Bureau of
- 4 Narcotics and Dangerous Drugs Control,
- 5 i. one representative from the U.S. Marshals Service from
- 6 the applicable region, and
- 7 j. any other individuals deemed necessary by the
- 8 Commissioner or coordinator.

9 3. In conjunction with the OCART coordinator, each OCART
10 committee shall develop a plan for mounting a coordinated response
11 to a verified child abduction. The plan shall include, but not be
12 limited to, an outline of the procedure for verification of a child
13 abduction, a notification of a child abduction, outreach to local
14 law enforcement agencies, and member agency responsibilities in the
15 event of a verified child abduction.

16 E. Within four (4) hours of receiving a report of verified
17 child abduction, the law enforcement agency receiving the report
18 shall notify the Oklahoma Counter Terrorism Intelligence Center.

19 F. Law enforcement agencies of this state are hereby authorized
20 to utilize the automated license plate readers (ALPRs) in carrying
21 out a coordinated response to a verified child abduction.

22 G. Each law enforcement member of an OCART committee shall
23 receive initial training and annual refresher training as determined
24 by the Commissioner.

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SECTION 3. This act shall become effective July 1, 2024.

SECTION 4. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

Passed the House of Representatives the 25th day of April, 2024.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2024.

Presiding Officer of the Senate

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2 BILL NO. 1407

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4 George of the House

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10 certain deposits to the Department of Public Safety
11 Restricted Revolving Fund; giving certain
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14 policies; establishing elements of committee
15 membership; establishing certain requirements of
16 response plans; requiring certain notice; authorizing
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15 imminent danger;

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17 who is unaccounted for where a reasonable and articulable suspicion
18 exists that the child is in imminent danger;

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20 child under the age of eighteen (18) by the non-custodial parent;
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22 5. "Verified child abduction" means the confirmation of a
23 reasonable suspicion that a missing child or the victim of a
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1 custodial child abduction or non-custodial child abduction is in
2 imminent danger.

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4 child abduction response teams in cooperation with
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8 enter into agreements with any governmental agency,
9 private person or entity, or not-for-profit
10 organization to effectuate the purposes of this act.

11 b. Each member agency of an OCART committee is
12 responsible for its own acts or omissions under The
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14 or federal law.

15 c. When activated pursuant to this section, member
16 agencies are exempt from the Oklahoma Central
17 Purchasing Act.

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19 donations, and gifts in support of OCART programs. All monies
20 received by the Commissioner pursuant to this subsection shall be
21 deposited to the credit of the Department of Public Safety
22 Restricted Revolving Fund and shall be expended by the Department
23 solely for the purposes of the operation of OCART programs. All
24 other property received by the Commissioner or designee pursuant to

1 this subsection shall be held by the Department in trust under the
2 terms and conditions imposed by the donors and the title to any and
3 all property acquired, granted, or donated to the Department shall
4 be taken in the name of the state to be held for the use and benefit
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13 the purposes of this act. The number, location, and boundaries of
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- d. one representative who is an active chief of police from the applicable region or a designee,
- e. one representative from the Department of Mental Health and Substance Abuse Services,
- f. one elected district attorney from the applicable region or a designee,
- g. one representative from the Oklahoma Counter Terrorism Intelligence Center (OCTIC),
- h. one representative from the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control,
- i. one representative from the U.S. Marshals Service from the applicable region, and
- j. any other individuals deemed necessary by the Commissioner or coordinator.

3. In conjunction with the OCART coordinator, each OCART committee shall develop a plan for mounting a coordinated response to a verified child abduction. The plan shall include, but not be limited to, an outline of the procedure for verification of a child abduction, a notification of a child abduction, outreach to local law enforcement agencies, and member agency responsibilities in the event of a verified child abduction.

E. Within four (4) hours of receiving a report of verified child abduction, the law enforcement agency receiving the report shall notify the Oklahoma Counter Terrorism Intelligence Center.

1 F. Law enforcement agencies of this state are hereby authorized
2 to utilize the automated license plate readers (ALPRs) in carrying
3 out a coordinated response to a verified child abduction.

4 G. Each law enforcement member of an OCART committee shall
5 receive initial training and annual refresher training as determined
6 by the Commissioner.

7 SECTION 7. There is hereby appropriated to the Department of
8 Public Safety for the purposes of the program established in Section
9 2 of this act from any monies not already appropriated from the
10 General Revenue Fund of the State Treasury for the fiscal year
11 ending June 30, 2025, the sum of Three Hundred Thousand Dollars
12 (\$300,000.00) or so much thereof as may be necessary to implement
13 the provisions of this act.

14 SECTION 8. This act shall become effective July 1, 2024.

15 SECTION 9. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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1 Passed the Senate the 12th day of March, 2024.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2024.

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8 _____
9 Presiding Officer of the House
10 of Representatives