

1 ENGROSSED SENATE
2 BILL NO. 1638

By: Seifried of the Senate

3 and

4 Talley of the House

5
6 An Act relating to the Oklahoma Children's Code;
7 amending 10A O.S. 2021, Section 1-9-123, which
8 relates to policies and procedures for children and
9 youth at risk of sex trafficking; requiring certain
10 report to include specified information; requiring
11 the Department of Human Services to communicate and
12 share pertinent information with law enforcement and
13 certain entity; updating statutory reference; and
14 declaring an emergency.

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

16 SECTION 1. AMENDATORY 10A O.S. 2021, Section 1-9-123, is
17 amended to read as follows:

18 Section 1-9-123. A. 1. The Department of Human Services
19 shall, in consultation with state and local law enforcement,
20 juvenile justice systems, health care providers, education agencies,
21 and organizations with experience in dealing with at-risk children
22 and youth, establish policies and procedures, including relevant
23 training for caseworkers, for identifying, documenting in agency
24 records, and determining appropriate services for children and youth
at risk of sex trafficking.

1 2. The policies and procedures shall be developed for every
2 child or youth over whom the Department has responsibility for
3 placement, care, or supervision and shall apply when the Department
4 has reasonable cause to believe a child or youth is currently, or is
5 at risk of being, a victim of sex trafficking, including a child or
6 youth:

- 7 a. for whom the Department has an open case file, but who
- 8 has not been removed from the home,
- 9 b. who has run away from foster care and who has not
- 10 attained eighteen (18) years of age, or
- 11 c. who is not in foster care but is receiving services.

12 B. 1. When notified a child or youth has run away or is
13 missing from a foster placement, the Department shall, within
14 twenty-four (24) hours of notification, report such status of the
15 child or youth to local law enforcement, the National Crime
16 Information Center, and to the National Center for Missing and
17 Exploited Children. The report submitted to law enforcement and the
18 National Center for Missing and Exploited Children shall include
19 where reasonably possible:

- 20 a. a photo of the missing or abducted child or youth,
- 21 b. a description of the child's or youth's physical
- 22 features, such as height, weight, sex, ethnicity,
- 23 race, hair color, and eye color, and

1 c. endangerment information, such as the child's or
2 youth's pregnancy status, prescription medications,
3 tendency toward suicidal thoughts, vulnerability to
4 being a victim of sex trafficking, and other health or
5 risk factors.

6 2. The Department shall maintain regular communication with law
7 enforcement and the National Center for Missing and Exploited
8 Children in an effort to provide for a safe recovery of a missing or
9 abducted child or youth, including by sharing information pertaining
10 to the child's or youth's recovery and circumstances related to the
11 recovery.

12 C. The Department shall develop and implement specific
13 protocols to:

14 1. Expediently locate any child or youth missing from foster
15 care;

16 2. Determine the primary factors that contributed to the child
17 or youth running away or otherwise being absent from foster care;

18 3. Respond, to the extent possible and appropriate, to those
19 factors that contributed to the absence from care or runaway
20 behaviors in the current and subsequent placements of the child or
21 youth; and

22 4. Determine what the child or youth experienced while absent
23 from care, that would include an appropriate screening to determine
24 if the child or youth is a possible victim of sex trafficking.

1 D. The Department shall report to law enforcement authorities
2 immediately, and in no case later than twenty-four (24) hours, after
3 receiving information on a child or youth who has been identified as
4 being a sex trafficking victim as defined by Section 1-1-105 of
5 ~~Title 10A of the Oklahoma Statutes~~ this title.

6 SECTION 2. It being immediately necessary for the preservation
7 of the public peace, health or safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

10 Passed the Senate the 5th day of March, 2024.

11

12

Presiding Officer of the Senate

13

14 Passed the House of Representatives the ____ day of _____,
15 2024.

16

17

Presiding Officer of the House
of Representatives

18

19

20

21

22

23

24