

# An Act

ENROLLED SENATE  
BILL NO. 1638

By: Seifried of the Senate

and

Talley and Swope of the  
House

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

SUBJECT: Communicating with law enforcement

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

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

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

2. The policies and procedures shall be developed for every child or youth over whom the Department has responsibility for

placement, care, or supervision and shall apply when the Department has reasonable cause to believe a child or youth is currently, or is at risk of being, a victim of sex trafficking, including a child or youth:

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

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

- a. a photo of the missing or abducted child or youth,
- b. a description of the child's or youth's physical features, such as height, weight, sex, ethnicity, race, hair color, and eye color, and
- c. endangerment information, such as the child's or youth's pregnancy status, prescription medications, tendency toward suicidal thoughts, vulnerability to being a victim of sex trafficking, and other health or risk factors.

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

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

1. Expeditiously locate any child or youth missing from foster care;

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

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

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

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

SECTION 2. 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 Senate the 5th day of March, 2024.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 16th day of April, 2024.

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Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_