

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1407

By: Thompson (Roger), Floyd,
and **Burns** of the Senate

and

George of the House

11 COMMITTEE SUBSTITUTE

12 [Department of Public Safety - legislative findings
13 - Oklahoma child abduction response teams - terms -
14 multi-agency elements - Department of Public Safety
15 Restricted Revolving Fund - Commissioner of Public
16 Safety - policies - committee membership - response
17 plans - notice - automated license plate readers -
18 training - noncodification - codification -
19 effective date -

emergency]

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

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

3 It is the finding of the Legislature that abduction is a serious
4 threat to the health and safety of minors in this state. The
5 immediate notification and response to a child abduction greatly
6 increases the chances of a positive outcome. Oklahoma child
7 abduction response teams (OCARTs) are being created to facilitate
8 efficient, effective, and coordinated law enforcement and social
9 services responses to child abductions.

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

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

16 B. For purposes of this section:

17 1. "Commissioner" means the Commissioner of the Department of
18 Public Safety;

19 2. "Custodial child abduction" means the abduction of a child
20 under the age of eighteen (18) by a custodial parent where a
21 reasonable and articulable suspicion exists that the child is in
22 imminent danger;

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

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

7 5. "Verified child abduction" means the confirmation of a
8 reasonable suspicion that a missing child or the victim of a
9 custodial child abduction or non-custodial child abduction is in
10 imminent danger.

11 C. 1. a. The Commissioner shall create a network of Oklahoma
12 child abduction response teams in cooperation with
13 federal, state, tribal, county, and municipal law
14 enforcement agencies, and the appropriate social
15 services agencies. The Commissioner is authorized to
16 enter into agreements with any governmental agency,
17 private person or entity, or not-for-profit
18 organization to effectuate the purposes of this act.

19 b. Each member agency of an OCART committee is
20 responsible for its own acts or omissions under The
21 Governmental Tort Claims Act, or otherwise under state
22 or federal law.

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1 c. When activated pursuant to this section, member
2 agencies are exempt from the Oklahoma Central
3 Purchasing Act.

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

17 3. The Commissioner is authorized to establish policies and
18 procedures and promulgate rules to effectuate the purposes of this
19 act.

20 D. 1. The Commissioner is authorized to employ an OCART
21 coordinator to assist in administering the provisions of this act.
22 The Commissioner shall create local OCART committees to effectuate
23 the purposes of this act. The number, location, and boundaries of
24 the regions are to be determined by the Commissioner. The members

1 of each Oklahoma child abduction response team shall be peace
2 officers, communications personnel, administrative personnel,
3 support personnel, and multidisciplinary professionals reasonably
4 necessary to effectuate the purposes of this act.

5 2. The OCART committee shall consist of:

- 6 a. the OCART coordinator who shall act as chairperson,
- 7 b. one representative of the Oklahoma State Bureau of
8 Investigation,
- 9 c. one representative who is an active elected sheriff
10 from the applicable region or a designee,
- 11 d. one representative who is an active chief of police
12 from the applicable region or a designee,
- 13 e. one representative from the Department of Mental
14 Health and Substance Abuse Services,
- 15 f. one elected district attorney from the applicable
16 region or a designee,
- 17 g. one representative from the Oklahoma Counter Terrorism
18 Intelligence Center (OCTIC),
- 19 h. one representative from the Oklahoma State Bureau of
20 Narcotics and Dangerous Drugs Control,
- 21 i. one representative from the U.S. Marshals Service from
22 the applicable region, and
- 23 j. any other individuals deemed necessary by the
24 Commissioner or coordinator.

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

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

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

14 G. Each law enforcement member of an OCART committee shall
15 receive initial training and annual refresher training as determined
16 by the Commissioner.

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

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

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23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
24 04/11/2024 - DO PASS, As Amended and Coauthored.