

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 ENGROSSED SENATE
5 BILL NO. 1638

By: Seifried of the Senate

6 and

7 Talley of the House

8
9 An Act relating to the Oklahoma Children's Code;
10 amending 10A O.S. 2021, Section 1-9-123, which
11 relates to policies and procedures for children and
12 youth at risk of sex trafficking; requiring certain
13 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.

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

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

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

1 records, and determining appropriate services for children and youth
2 at risk of sex trafficking.

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

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

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

- 22 a. a photo of the missing or abducted child or youth,

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1 b. a description of the child's or youth's physical
2 features, such as height, weight, sex, ethnicity,
3 race, hair color, and eye color, and

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

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

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

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

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

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

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

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

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

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14 COMMITTEE REPORT BY: COMMITTEE ON CHILDREN, YOUTH AND FAMILY
15 SERVICES, dated 04/02/2024 - DO PASS.

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