

1 **SENATE FLOOR VERSION**

2 February 28, 2024

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1407

By: Thompson (Roger)

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

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

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

It is the finding of the Legislature that abduction is a serious
threat to the health and safety of minors in this state. The
immediate notification and response to a child abduction greatly
increases the chances of a positive outcome. Oklahoma child
abduction response teams (OCARTs) are being created to facilitate

1 efficient, effective, and coordinated law enforcement and social
2 services responses to child abductions.

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

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

9 B. For purposes of this section:

10 1. "Commissioner" means the Commissioner of the Department of
11 Public Safety;

12 2. "Custodial child abduction" means the abduction of a child
13 under the age of eighteen (18) by a custodial parent where a
14 reasonable and articulable suspicion exists that the child is in
15 imminent danger;

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

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

22 5. "Verified child abduction" means the confirmation of a
23 reasonable suspicion that a missing child or the victim of a
24

1 custodial child abduction or non-custodial child abduction is in
2 imminent danger.

3 C. 1. a. The Commissioner shall create a network of Oklahoma
4 child abduction response teams in cooperation with
5 federal, state, tribal, county, and municipal law
6 enforcement agencies, and the appropriate social
7 services agencies. The Commissioner is authorized to
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
13 Governmental Tort Claims Act, or otherwise under state
14 or federal law.

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

18 2. The Commissioner is authorized to accept contributions,
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
5 of education programs of the Department under the conditions of the
6 grants or donations.

7 3. The Commissioner is authorized to establish policies and
8 procedures and promulgate rules to effectuate the purposes of this
9 act.

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

19 2. The OCART committee shall consist of:

- 20 a. the OCART coordinator who shall act as chairperson,
- 21 b. one representative of the Oklahoma State Bureau of
22 Investigation,
- 23 c. one representative who is an active elected sheriff
24 from the applicable region or a designee,

- 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,
- 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

1 shall notify the Oklahoma Counter Terrorism Intelligence Center
2 (OCTIC).

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

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

9 SECTION 3. There is hereby appropriated to the Department of
10 Public Safety for the purposes of the program established in Section
11 2 of this act from any monies not already appropriated from the
12 General Revenue Fund of the State Treasury for the fiscal year
13 ending June 30, 2025, the sum of Three Hundred Thousand Dollars
14 (\$300,000.00) or so much thereof as may be necessary to implement
15 the provisions of this act.

16 SECTION 4. This act shall become effective July 1, 2024.

17 SECTION 5. It being immediately necessary for the preservation
18 of the public peace, health or safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

21 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
22 February 28, 2024 - DO PASS AS AMENDED
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