

1 **SENATE FLOOR VERSION**

2 February 22, 2024

3 SENATE BILL NO. 1638

By: Seifried

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

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

16 Section 1-9-123. A. 1. The Department of Human Services  
17 shall, in consultation with state and local law enforcement,  
18 juvenile justice systems, health care providers, education agencies,  
19 and organizations with experience in dealing with at-risk children  
20 and youth, establish policies and procedures, including relevant  
21 training for caseworkers, for identifying, documenting in agency  
22 records, and determining appropriate services for children and youth  
23 at risk of sex trafficking.  
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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 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
11 February 22, 2024 - DO PASS  
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