

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 HOUSE BILL 2892

By: Townley of the House

5 and

6 **Kern** of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to state government; amending 10 O.S.
11 2021, Section 601.4, which relates to the Oklahoma
12 Commission on Children and Youth; authorizing the
13 Executive Director to request investigation; amending
14 74 O.S. 2021, Section 150.5, which relates to
15 investigations; authorizing Executive Director to
16 initiate investigations; and providing an effective
17 date.

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

19 SECTION 1. AMENDATORY 10 O.S. 2021, Section 601.4, is
20 amended to read as follows:

21 Section 601.4. The Oklahoma Commission on Children and Youth is
22 further authorized to:

23 1. Facilitate joint planning and service coordination among
24 public and private agencies that provide services to children and

1 youth and maintain as confidential information provided to the
2 Commission regarding persons using such services;

3 2. Prepare and publish reports;

4 3. Review the programs, policies, and services for children and
5 youth provided by public and private agencies for compliance with
6 established state policies and progress towards goals identified in
7 planning documents relating to children and youth services and to
8 make reports regarding such compliance and progress;

9 4. Accept appropriations, gifts, loans, and grants from the
10 state and federal government and from other sources, public or
11 private;

12 5. Enter into agreements or contracts for the development of
13 test models or demonstration programs and projects and for programs
14 of practical research for effective services to children and youth;
15 provided that the administration of contract for such model programs
16 and projects shall, within five (5) years of their inception, be
17 transferred to an appropriate agency or the program or project shall
18 be discontinued;

19 6. Secure necessary statistical, technical, administrative,
20 operational, and staff services by interagency agreement or
21 contract;

22 7. Examine all records, plans, budgets, and budget documents
23 pertaining to the children and youth service system;

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1 8. Exercise all incidental powers as necessary and proper for
2 the performance of the duties and responsibilities of the
3 Commission;

4 9. Promulgate rules as necessary to carry out the duties and
5 responsibilities assigned to the Oklahoma Commission on Children and
6 Youth;

7 10. Recommend that a facility providing services to children
8 and youth be closed or that its contract with the state be
9 terminated; and

10 11. ~~Request that cases involving children within its~~
11 ~~jurisdiction be transferred to the jurisdiction of , through the~~
12 Executive Director of the Commission, or designee, that an
13 investigation be conducted by the Oklahoma State Bureau of
14 Investigation or other law enforcement agency in cases where it is
15 reasonably believed that criminally injurious conduct, including,
16 but not limited to, physical or sexual abuse of a child has
17 occurred.

18 SECTION 2. AMENDATORY 74 O.S. 2021, Section 150.5, is
19 amended to read as follows:

20 Section 150.5. A. 1. Oklahoma State Bureau of Investigation
21 investigations not covered under Section 150.2 of this title shall
22 be initiated at the request of the following persons:

- 23 a. the Governor,
- 24 b. the Attorney General,

- 1 c. the Council on Judicial Complaints upon a vote by a
2 majority of the Council,
- 3 d. the chair of any Legislative Investigating Committee
4 which has been granted subpoena powers by resolution,
5 upon authorization by a vote of the majority of the
6 Committee,
- 7 e. the Director of the Department of Human Services, or
8 designee, as authorized by Section 1-2-105 of Title
9 10A of the Oklahoma Statutes, ~~or~~
- 10 f. a district court judge as authorized by Section 1-2-
11 103 of Title 10A of the Oklahoma Statutes, or
- 12 g. the Executive Director of the Oklahoma Commission on
13 Children and Youth, or designee, as authorized by
14 Section 601.4 of Title 10 of the Oklahoma Statutes.

15 2. Requests for investigations shall be submitted in writing
16 and shall contain specific allegations of wrongdoing under the laws
17 of the State of Oklahoma.

18 B. The Governor may initiate special background investigations
19 with the written consent of the person who is the subject of the
20 investigation.

21 C. The chair of any Senate committee which is fulfilling the
22 statutory responsibility for approving nominations made by the
23 Governor may, upon a vote by a majority of the committee and with
24 the written consent of the person who is to be the subject of the

1 investigation, initiate a special background investigation of any
2 nominee for the Oklahoma Horse Racing Commission as established by
3 Section 201 of Title 3A of the Oklahoma Statutes or any nominee for
4 the Board of Trustees of the Oklahoma Lottery Commission as
5 established by Section 704 of Title 3A of the Oklahoma Statutes.
6 The Bureau shall submit a report to the committee within thirty (30)
7 days of the receipt of the request. Any consideration by the
8 committee of a report from the Bureau shall be for the exclusive use
9 of the committee and shall be considered only in executive session.

10 D. 1. All records relating to any investigation being
11 conducted by the Bureau, including any records of laboratory
12 services provided to law enforcement agencies pursuant to paragraph
13 1 of subsection A of Section 150.2 of this title, shall be
14 confidential and shall not be open to the public or to the
15 Commission except as provided in Section 150.4 of this title;
16 provided, however, officers and agents of the Bureau may disclose,
17 at the discretion of the Director, such investigative information
18 to:

- 19 a. officers and agents of federal, state, county, or
20 municipal law enforcement agencies and to district
21 attorneys, in the furtherance of criminal
22 investigations within their respective jurisdictions,
23 b. employees of the Department of Human Services in the
24 furtherance of child abuse investigations, and

1 c. appropriate accreditation bodies for the purposes of
2 the Bureau's obtaining or maintaining accreditation.

3 2. Any unauthorized disclosure of any information contained in
4 the confidential files of the Bureau shall be a misdemeanor. The
5 person or entity authorized to initiate investigations in this
6 section, and the Attorney General in the case of investigations
7 initiated by the Insurance Commissioner, shall receive a report of
8 the results of the requested investigation. The person or entity
9 requesting the investigation may give that information only to the
10 appropriate prosecutorial officer or agency having statutory
11 authority in the matter if that action appears proper from the
12 information contained in the report, and shall not reveal or give
13 such information to any other person or agency. Violation hereof
14 shall be deemed willful neglect of duty and shall be grounds for
15 removal from office.

16 E. It shall not be a violation of this section to reveal
17 otherwise confidential information to outside agencies or
18 individuals who are providing interpreter services, questioned
19 document analysis, laboratory services, or other specialized
20 services that are necessary in the assistance of Bureau
21 investigations. Individuals or agencies receiving the confidential
22 and investigative information or records or results of laboratory
23 services provided to the Bureau by those agencies or individuals,
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1 shall be subject to the confidentiality provisions and requirements
2 established in subsection D of this section.

3 F. It shall not be a violation of this section to reveal for
4 training or educational purposes otherwise confidential information
5 from records relating to any investigation previously conducted by
6 the Bureau, including any records of laboratory services provided to
7 law enforcement agencies pursuant to paragraph 1 of subsection A of
8 Section 150.2 of this title, so long as ten (10) or more years have
9 passed since the production of the information or record.

10 G. It shall not be a violation of this section to reveal
11 otherwise confidential information from records relating to any
12 investigation being conducted by the Bureau, including any records
13 of laboratory services provided to law enforcement agencies pursuant
14 to paragraph 1 of subsection A of Section 150.2 of this title or to
15 the public, provided, release of the confidential information has
16 been authorized by the Director of the Bureau for the purposes of
17 developing or obtaining further information reasonably necessary to
18 the successful conclusion of a criminal investigation being
19 conducted by the Bureau or authorized by the Director of the Bureau
20 for the purpose of advising crime victims or family representatives
21 of homicide victims regarding the status of a pending investigation.

22 H. The State Treasurer shall initiate a complete background
23 investigation of the positions with the written consent of the
24 persons who are the subject of the investigation pursuant to

1 subsection I of Section 71.1 of Title 62 of the Oklahoma Statutes.
2 The Bureau shall advise the State Treasurer and the Cash Management
3 and Investment Oversight Commission in writing of the results of the
4 investigation.

5 SECTION 3. This act shall become effective November 1, 2025.

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7 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
8 OVERSIGHT, dated 02/27/2025 - DO PASS, As Coauthored.

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