

1 **SENATE FLOOR VERSION**

2 March 30, 2021

3 ENGROSSED HOUSE
4 BILL NO. 2351

By: Talley and Lawson of the
House

5 and

6 Stanley of the Senate

7
8
9 An Act relating to children and the juvenile code;
10 amending 10A O.S. 2011, Section 1-4-703, which
relates to investigation of home conditions;
11 requiring a court hearing; instructing the court to
assess report and make certain determinations; and
12 providing an effective date.

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

15 SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-4-703, is
16 amended to read as follows:

17 Section 1-4-703. A. After a petition has been filed, the court
18 may order the child to be examined and evaluated by a physician or
19 other appropriate professional to aid the court in making the proper
20 disposition concerning the child. The court may order a behavioral
21 health evaluation of a child as provided by the Inpatient Mental
22 Health and Substance Abuse Treatment of Minors Act.

23 B. After adjudication and at the request of a judge in any
24 juvenile proceeding, the Department of Human Services shall

1 investigate the home conditions and environment of the child and the
2 financial ability, occupation and earning capacity of the parent,
3 legal guardian or custodian of the child. Upon request by the court
4 of another state, the Department may conduct a similar
5 investigation.

6 C. Within sixty (60) days of the start of each placement of a
7 child in a qualified residential treatment program as defined in
8 Section 1-1-105 of this title, the court shall conduct a hearing to:

9 1. Consider the assessment, determination and documentation
10 made by the qualified individual conducting the assessment and
11 submitted as part of the Department's written report;

12 2. Determine whether the needs of the child can be met through
13 placement in a foster family home or, if not, determine whether
14 placement of the child in a qualified residential treatment program
15 provides the most effective and appropriate level of care for the
16 child in the least restrictive environment;

17 3. Determine whether the child's current placement is
18 consistent with the short-term and long-term goals for the child, as
19 specified in the permanency plan for the child; and

20 4. Approve or disapprove the placement.

21 SECTION 2. This act shall become effective October 1, 2021.

22 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
23 March 30, 2021 - DO PASS
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