

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 870

By: David and Fields of the
Senate

4 and

5 Osborn (Leslie) and Wallace
6 of the House

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8
9 AS INTRODUCED

10 An Act relating to the Office of Juvenile Affairs;
11 amending 10A O.S. 2011, Section 2-2-703, which
12 relates to reimbursement for care of a child;
13 expanding uses for which certain funds may be spent;
14 providing an effective date; and declaring an
15 emergency.

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

17 SECTION 1. AMENDATORY 10A O.S. 2011, Section 2-2-703, is
18 amended to read as follows:

19 Section 2-2-703. A. If, after notice to the parent or parents
20 of the child or other persons legally obligated to care for and
21 support the child, and after affording said person or persons an
22 opportunity to be heard, the court finds that the parent or parents
23 of the child or other person is able to pay all or part of the costs
24 and expenses set forth in paragraphs 1 through 4 of this subsection,

1 the court may order the person or persons to pay the same and
2 prescribe the method of payment, as follows:

3 1. Reimburse the court fund, in whole or in part, for any
4 disbursements made from the court fund in conjunction with the case,
5 including, but not limited to, court-appointed attorney fees, expert
6 witness fees, sheriff's fees, witness fees, transcripts and postage;

7 2. Pay for the care and maintenance of the child, including,
8 but not limited to, all or some part of placement services, medical
9 care, ~~and~~ behavioral health services, outcome incentive payments for
10 providers and reasonable monthly expenses, as authorized by law;

11 3. Reimburse the Office of Juvenile Affairs, in whole or in
12 part, for any costs and expenses incurred by the Office in providing
13 any services or authorized actions taken pursuant to the Oklahoma
14 Juvenile Code for the child; and

15 4. Reimburse any law enforcement agency, in whole or in part,
16 for any costs or expenses incurred by the law enforcement agency for
17 custodial services or other authorized actions taken pursuant to the
18 Oklahoma Juvenile Code.

19 The court may also order the assignment of benefits of medical
20 insurance coverage for the child to the Office of Juvenile Affairs
21 for the period of time the child is in the custody of the Office of
22 Juvenile Affairs.

23 B. The court shall use the child support guidelines provided
24 for in Section 118 of Title 43 of the Oklahoma Statutes in

1 determining the amount a parent is to pay for care and maintenance
2 of a child. If any parent is financially able but has willfully
3 failed to pay any costs or reimbursements as ordered by the court
4 pursuant to this section, the parent may be held in indirect civil
5 contempt of court and, upon conviction, shall be punished pursuant
6 to Section 566 of Title 21 of the Oklahoma Statutes.

7 C. The court shall have the right, upon conducting an
8 evidentiary hearing, to modify its orders for care and maintenance,
9 as the conditions or needs of the child or children may require and
10 the ability of the person or persons held to pay may afford. The
11 court may order support payments to be made pursuant to Section 413
12 of Title 43 of the Oklahoma Statutes, to the Department of Human
13 Services Centralized Support Registry.

14 SECTION 2. This act shall become effective July 1, 2017.

15 SECTION 3. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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