

1 ENGROSSED SENATE
2 BILL NO. 870

By: David and Fields of the
Senate

3 and

4 Osborn (Leslie) and Wallace
5 of the House

6
7 An Act relating to the Office of Juvenile Affairs;
8 amending 10A O.S. 2011, Section 2-2-703, which
9 relates to reimbursement for care of a child;
10 expanding uses for which certain funds may be spent;
11 providing an effective date; and declaring an
12 emergency.

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

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

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

24 1. Reimburse the court fund, in whole or in part, for any
disbursements made from the court fund in conjunction with the case,

1 including, but not limited to, court-appointed attorney fees, expert
2 witness fees, sheriff's fees, witness fees, transcripts and postage;

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

7 3. Reimburse the Office of Juvenile Affairs, in whole or in
8 part, for any costs and expenses incurred by the Office in providing
9 any services or authorized actions taken pursuant to the Oklahoma
10 Juvenile Code for the child; and

11 4. Reimburse any law enforcement agency, in whole or in part,
12 for any costs or expenses incurred by the law enforcement agency for
13 custodial services or other authorized actions taken pursuant to the
14 Oklahoma Juvenile Code.

15 The court may also order the assignment of benefits of medical
16 insurance coverage for the child to the Office of Juvenile Affairs
17 for the period of time the child is in the custody of the Office of
18 Juvenile Affairs.

19 B. The court shall use the child support guidelines provided
20 for in Section 118 of Title 43 of the Oklahoma Statutes in
21 determining the amount a parent is to pay for care and maintenance
22 of a child. If any parent is financially able but has willfully
23 failed to pay any costs or reimbursements as ordered by the court
24 pursuant to this section, the parent may be held in indirect civil

1 contempt of court and, upon conviction, shall be punished pursuant
2 to Section 566 of Title 21 of the Oklahoma Statutes.

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

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

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

15 Passed the Senate the 12th day of May, 2017.

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Presiding Officer of the Senate

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19 Passed the House of Representatives the ____ day of _____,
20 2017.

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Presiding Officer of the House
of Representatives

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