Resolution

ENROLLED HOUSE
JOINT
RESOLUTION NO. 1065

By: Peters and Billy of the House

and

Anderson, Crain and Johnson (Constance) of the Senate

A Joint Resolution relating to juvenile justice; creating the Oklahoma Juvenile Justice Reform Committee; requiring certain cooperation; specifying membership of Committee; directing notification of membership; permitting Committee to divide into subcommittees; authorizing the Committee to enter into certain contracts; providing for vacancies on the Committee; specifying duties of Committee; directing the Committee to prepare and submit certain report; providing for termination of Committee; directing appointment of cochairs and other officers; permitting certain travel reimbursement; providing for staff support; providing for noncodification; and declaring an emergency.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. The Legislature hereby establishes the Oklahoma Juvenile Justice Reform Committee and directs the Committee to undertake a full, good-faith and thorough study of Oklahoma's juvenile justice system and to make recommended revisions to the Oklahoma Juvenile Code in Title 10A of the Oklahoma Statutes and any other statutes necessary to accomplish its purpose.

B. All departments, officers, agencies and employees of this state shall cooperate with the Oklahoma Juvenile Justice Reform Committee in carrying out its duties and responsibilities, including providing any information, records and reports as may be requested by the cochairs of the Committee.

SECTION 2. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. The Committee shall consist of twenty (20) members appointed as follows:

1. Two members who are presiding judges of a court having juvenile law jurisdiction to be appointed by the President of the Oklahoma Judicial Conference. One of the judges shall be in a county having a juvenile bureau and one judge shall be from a county without a juvenile bureau;

2. Two members who are district attorneys or assistant district attorneys having experience in cases involving juveniles to be appointed by the President of the District Attorneys Council;

3. One member who is an attorney appointed by the Oklahoma Indigent Defense System to represent juveniles charged with crimes or delinquent acts to be appointed by the Director of the Oklahoma Indigent Defense System;

4. One member who is a practicing attorney who regularly represents juveniles charged with crimes or delinquent acts to be appointed by the President of the Oklahoma Bar Association;

5. Two members who are employees of the Office of Juvenile Affairs to be appointed by the Executive Director of the Office of Juvenile Affairs;

6. One member to be appointed by the Director of the Oklahoma Commission on Children and Youth;

7. Three members to be appointed by the Speaker of the House of Representatives;

8. Three members to be appointed by the President Pro Tempore of the Senate;

9. One member who is an executive director of a Youth Services Agency to be appointed by the Speaker of the House of Representatives;

10. One member representing an Oklahoma nonprofit organization whose membership consists solely of youth services agencies and of whom at least a majority of youth services agencies are members to be appointed by the President Pro Tempore of the Senate;

11. One member from a publicly operated local workforce investment area to be appointed by the President Pro Tempore of the Senate;

12. One member who is an executive director of an alcohol and drug abuse treatment facility that serves juveniles to be appointed by the Speaker of the House of Representatives; and

13. One member appointed by the State Superintendent of Public Instruction with experience in alternative education.

B. Each member of the Oklahoma Juvenile Justice Reform Committee initially appointed shall make the appointment known to the Speaker of the House of Representatives and the President Pro Tempore of the Senate by June 30, 2010. Appointed members shall serve until December 31, 2011. The Oklahoma Juvenile Justice Reform Committee may divide into subcommittees in furtherance of its purposes.

C. The Oklahoma Juvenile Justice Reform Committee may contract with such consultant or consultants as it deems necessary to accomplish its purposes as funds are available.

D. Any vacancies in the appointive membership of the Oklahoma Juvenile Justice Reform Committee shall be filled for the unexpired term in the same manner as the original appointment.

SECTION 3. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. The Oklahoma Juvenile Justice Reform Committee shall conduct a systematic review and study of:

1. Oklahoma's juvenile justice system, including its efficiency and effectiveness in protecting the public and habilitating and rehabilitating juveniles; and

2. All laws and procedures in Title 10A of the Oklahoma Statutes or other laws affecting the juvenile justice system, including the laws relating to youthful offenders, certification and reverse certification of juveniles.

B. The Oklahoma Juvenile Justice Reform Committee shall prepare a report of its recommendations and a recommended draft to reclassify, update, reform and recodify the statutes pertaining to juveniles. The duties of the Committee in preparing recommendations shall be as follows:

1. To study, report and recommend the most efficient organization and effective programs to accomplish the public safety, treatment and prevention goals of the juvenile justice system;

2. To study, report and recommend the most effective system for transitioning persons aging out of the juvenile justice system;

3. To organize the Oklahoma Juvenile Code to effectively implement the goals of the juvenile justice system including persons aging out of the juvenile justice system;

4. To incorporate into the Oklahoma Juvenile Code as many existing statutes relating to juvenile law and procedure found throughout the Oklahoma Statutes as is practicable;

5. To clarify and update existing statutory language; and

6. To perform any other act necessary to complete the purposes of the Committee.

C. The Oklahoma Juvenile Justice Reform Committee shall be responsible for drafting recommended legislation in accordance with the current legislative drafting procedures.

D. 1. The Oklahoma Juvenile Justice Reform Committee shall prepare a final draft of its report and recommendations together with its recommended changes in the Oklahoma Juvenile Code, and shall submit them to the Speaker of the House of Representatives and the President Pro Tempore of the Senate by December 1, 2011.

2. The Oklahoma Juvenile Justice Reform Committee shall submit a summary of every recommended change and addition to existing laws

at the time any amendments are presented to the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

E. The Oklahoma Juvenile Justice Reform Committee shall cease to function December 31, 2011.

SECTION 4. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. Within fifteen (15) days from the initial appointment of membership on the Oklahoma Juvenile Justice Reform Committee, the Speaker of the House of Representatives and the President Pro Tempore of the Senate shall each appoint one member of the Committee to serve as cochairs. If a vacancy occurs in such office, a new cochair shall be appointed from the Committee in the same manner as the original appointment, who shall serve until December 31, 2010.

B. Other officers may be elected to serve on the Committee for terms of office as may be designated by the Committee members. The cochairs of the Committee or their designees shall preside at meetings.

C. The Committee may meet at least one time per month and at such other times as may be set by the cochairs of the Committee.

D. Members of the Committee shall receive no salary; however, all members of the Committee shall be reimbursed for their actual and necessary travel expenses as follows:

1. Legislative members of the Committee shall receive reimbursement from the house in which they serve as provided in Section 456 of Title 74 of the Oklahoma Statutes, except when the Legislature is in session and the meeting is held in Oklahoma City;

2. Nonlegislative Committee members employed by the state shall be reimbursed by their respective employing agency pursuant to the State Travel Reimbursement Act; and

3. Any other Committee member shall receive reimbursement from the appointing entity pursuant to the State Travel Reimbursement Act.

E. A majority of the members appointed to the Committee shall constitute a quorum and a majority present may act for the Committee.

SECTION 5. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The House of Representatives and the Senate shall provide staff assistance to the Oklahoma Juvenile Justice Reform Committee as necessary to assist the Committee in the performance of its duties.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 1st day of March, 2010.

Presiding Officer of the House of Representatives

Passed the Senate the 13th day of April, 2010.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 14th **day of** April, **20**10, **at** 3:47 **o'clock** P **M.**

By:

Approved by the Governor of the State of Oklahoma the 19th **day of** April, **20**10, **at** 4:35 **o'clock** P **M.**

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 20th **day of** April, **20**10, **at** 3:08 **o'clock** P. **M.**

By: M. Susan Savage