

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE  
FOR  
4 HOUSE BILL NO. 2294

By: Hilbert

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8 COMMITTEE SUBSTITUTE

9 An Act relating to group homes; amending 60 O.S.  
10 2021, Section 863, which relates to group home  
procedure and affected real property owners; removing  
a mandate; and providing an effective date.

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

14 SECTION 1. AMENDATORY 60 O.S. 2021, Section 863, is  
15 amended to read as follows:

16 Section 863.

17 A. 1. a. A group home is a residential use of property for the  
18 purposes of zoning and shall be treated as a permitted  
19 use in all residential zones or districts, including  
20 all single-family residential zones or districts of  
21 all political subdivisions of this state. No  
22 political subdivision may require that a group home,  
23 its owner, or operator obtain a conditional use  
24 permit, special use permit, special exception, or

1 variance different from those required for other  
2 dwellings of similar density in the same zone;  
3 provided, however, prior to the establishment of a  
4 group home in any residential area within a political  
5 subdivision, the owner of such home shall file with  
6 the political subdivision an application for the  
7 establishment of such group home in such residential  
8 area. The political subdivision shall provide for  
9 notice to be given to all affected real property  
10 owners. The notice shall contain a legal description  
11 of the property and the street address or approximate  
12 location of the group home.

13 b. For the purposes of this section, the term "affected  
14 real property owners" shall mean all owners of real  
15 property which is located within three hundred (300)  
16 feet of the exterior boundary of the property on which  
17 the group home is to be located. The political  
18 subdivision may deny the application if the owner of  
19 the group home fails to obtain a license from the  
20 Department of Human Services or if the group home  
21 fails to comply with the spacing requirements of  
22 subsection B of this section.

23 2. After the initial approval process, the political  
24 subdivision shall have the right to require a rezoning application,

1 special exception, or variance filing and a public hearing, if such  
2 procedures are normally required for any other similar use in the  
3 zoning district.

4       B. 1. Any rules promulgated by the State Board of Health for  
5 purposes of implementing the Community Residential Living for  
6 Persons with Developmental or Physical Disabilities Act shall remain  
7 in effect until such rules are superseded by rules promulgated by  
8 the ~~Commission for~~ Department of Human Services, pursuant to this  
9 section. At such time, rules promulgated by the State Board of  
10 Health shall terminate.

11           2. For the purposes of safeguarding the health and safety of  
12 persons with developmental or physical disabilities and avoiding an  
13 over-concentration of group homes, either along or in conjunction  
14 with similar community-based residences, within one hundred eighty  
15 (180) days of the effective date of the Community Residential Living  
16 for Persons with Developmental or Physical Disabilities Act, the  
17 ~~Commission for~~ Department of Human Services shall promulgate rules  
18 which ~~shall~~ may encompass the ~~following matters:~~

19               a. limitations on the number of new group homes to be  
20                   permitted on blocks, block faces, and other  
21                   appropriate geographic areas, to one thousand two  
22                   hundred (1,200) feet between group homes, or similar  
23                   community residential facilities serving persons in  
24                   drug, alcohol, juvenile, child, parole, and other

1 programs of treatment, care, supervision, or  
2 rehabilitation in a community setting; provided,  
3 however, this provision shall not apply to group homes  
4 located outside of the corporate limits of a  
5 municipality.r.

6 3. For the purposes of safeguarding the health and safety of  
7 persons with developmental or physical disabilities and avoiding an  
8 over-concentration of group homes, either along or in conjunction  
9 with similar community-based residences, within one hundred eighty  
10 (180) days of the effective date of the Community Residential Living  
11 for Persons with Developmental or Physical Disabilities Act, the  
12 Department of Human Services shall promulgate rules which shall  
13 encompass the following matters:

14 b.

15 a. assurance that adequate arrangements are made for the  
16 residents of group homes to receive such care and  
17 habilitation as is necessary and appropriate to their  
18 needs and to further their progress towards  
19 independent living,

20 e.

21 b. protection of the health and safety of the residents  
22 of group homes. Compliance with these rules shall not  
23 relieve the operator of any group home of the  
24 obligation to comply with the requirements or

1 standards of a political subdivision pertaining to  
2 building, housing, health, fire, safety, and motor  
3 vehicle parking space that generally apply to single-  
4 family residences in the zoning district. No  
5 requirements for business licenses, gross receipt  
6 taxes, environmental impact studies, or clearances may  
7 be imposed on such homes if such fees, taxes, or  
8 clearances are not imposed on all structures in the  
9 zoning district housing a like number of persons. A  
10 group home shall not be excluded from a single family  
11 zone as a result of requirements promulgated by the  
12 Commission Department,

13 d.

14 c. procedures by which a resident of a residential zoning  
15 district or the governing body of a political  
16 subdivision in which a group home is, or is to be,  
17 located may petition the Department of Human Services  
18 to deny an application for a license to operate a  
19 group home on the grounds that the operation of such a  
20 home would be in violation of the limits established  
21 pursuant to the provisions ~~of subparagraph a~~ of  
22 paragraph 2 of subsection B of this section, and

23 e.

d. fees for licenses or renewal of licenses required by this section.

3 C. In order to facilitate the implementation of subparagraph a  
4 of paragraph 2 of subsection B of this section, the Department shall  
5 maintain a list of the location, capacity, and current occupancy of  
6 all group homes. The Department shall ensure that this list shall  
7 not contain the names or other identifiable information about any  
8 residents of such home and that copies of this list shall be  
9 available upon request to any resident of this state and any state  
10 agency or political subdivision.

SECTION 2. This act shall become effective November 1, 2025.

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