

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2116

By: Swope

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6 AS INTRODUCED

7 An Act relating to children; amending 10 O.S. 2021,
8 Section 83, which relates to support of a child;
9 providing that father shall be liable for certain
10 expenses; 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 10 O.S. 2021, Section 83, is
15 amended to read as follows:

16 Section 83. A. Both the mother of a child born out of wedlock
17 and an individual who has been legally determined to be the father
18 of a child by acknowledgment or by judicial or administrative order
19 are each liable for the support and education of the child.

20 B. 1. An action to establish or enforce the obligation of
21 support and education may be brought by either parent, or other
22 custodial person, or the guardian of the child, by the public
23 authority chargeable with the support of the child, or by the child.

1 2. An action to enforce this obligation of support may be
2 brought within the time period specified by paragraph 8 of
3 subsection A of Section 95 of Title 12 of the Oklahoma Statutes.

4 3. If the parental rights of a mother or father are terminated
5 in an adoption proceeding, the obligation to support the child
6 ceases for the parent whose rights were terminated. Child support
7 arrearages are not affected by the adoption of the child.

8 4. The court may order the payments made to either parent,
9 other custodial person, or the guardian of the child, or to some
10 other person, corporation or agency to administer under the
11 supervision of the court.

12 C. An individual who has been legally determined to be the
13 father of a child pursuant to the Uniform Parentage Act shall be
14 ordered to pay all or a portion of the costs of the birth, lost
15 wages resulting from bed rest prescribed by a doctor and related to
16 the pregnancy, medical expenses accrued during and related to the
17 pregnancy, lost wages resulting from unpaid parental leave, and the
18 reasonable expenses of providing for the child, provided that
19 liability for support provided before the determination of paternity
20 shall be imposed for two (2) years preceding the filing of the
21 action. The mother shall be liable for the reasonable expenses of
22 providing for the child to the same extent as the father and subject
23 to the same limitation of liability for any time she does not have
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1 custody of the child prior to the establishment of paternity or an
2 order for support.

3 D. The amount of child support and other support including
4 amounts provided for in subsection C of this section shall be
5 ordered and reviewed in accordance with the child support guidelines
6 provided in Section 118 of Title 43 of the Oklahoma Statutes.
7 Interest shall accrue on the support amounts pursuant to Section 114
8 of Title 43 of the Oklahoma Statutes.

9 E. If both the mother and the father agree to change the
10 surname of the child to that of the father, the court may order the
11 name changed. Upon receipt of an order changing the child's
12 surname, the State Department of Health, Division of Vital Records,
13 shall correct its records and amend the birth certificate to reflect
14 the name change.

15 SECTION 2. This act shall become effective November 1, 2023.

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