

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 130

By: David

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5  
6 AS INTRODUCED

7 An Act relating to termination of child support;  
8 amending 10 O.S. 2011, Section 83, as last amended by  
9 Section 1, Chapter 171, O.S.L. 2014 (10 O.S. Supp.  
10 2014, Section 83), which relates to liability of  
11 mother and father to support and educate child;  
12 modifying timing of termination of certain support;  
13 and providing an effective date.

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

15 SECTION 1. AMENDATORY 10 O.S. 2011, Section 83, as last  
16 amended by Section 1, Chapter 171, O.S.L. 2014 (10 O.S. Supp. 2014,  
17 Section 83), is amended to read as follows:

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

22 B. 1. An action to establish or enforce the obligation of  
23 support and education may be brought by either parent, or other  
24 custodial person, or the guardian of the child, by the public  
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~~ a final adoption ~~preceding~~ decree, the obligation to support  
6 the child ceases for the parent whose rights were terminated. Child  
7 support 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 and the  
15 reasonable expenses of providing for the child, provided that  
16 liability for support provided before the determination of paternity  
17 shall be imposed for two (2) years preceding the filing of the  
18 action. The mother shall be liable for the reasonable expenses of  
19 providing for the child to the same extent as the father and subject  
20 to the same limitation of liability for any time she does not have  
21 custody of the child prior to the establishment of paternity or an  
22 order for support.

23           D. The amount of child support and other support including  
24 amounts provided for in subsection C of this section shall be

1 ordered and reviewed in accordance with the child support guidelines  
2 provided in Section 118 of Title 43 of the Oklahoma Statutes.  
3 Interest shall accrue on the support amounts pursuant to Section 114  
4 of Title 43 of the Oklahoma Statutes.

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

11 SECTION 2. This act shall become effective November 1, 2015.

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