STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

HOUSE BILL NO. 3031 By: Graves

AS INTRODUCED

An Act relating to marriage and family; amending 43 O.S. 1991, Section 103, which relates to venue for certain actions; modifying venue; providing certain alternatives; providing for certain determinations; providing for certain transfers; and providing an effective date.

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

SECTION 2. AMENDATORY 43 O.S. 1991, Section 103, is amended to read as follows:

Section 103. A. The venue of actions for divorce, annulment of marriages, and separate maintenance may be in the following counties:

~~(a)~~ 1. An action for divorce or annulment of a marriage may be brought in the county in which the plaintiff has been a resident for the thirty (30) days immediately preceding the filing of the petition or in the county in which the defendant is a resident~~.~~;

~~(b)~~ 2. An action for separate maintenance may be brought in the county in which either party is a resident at the time of the filing of the petition.

B. The venue of actions for determining the custody of a child or for establishment of child support in this state, except as otherwise provided by subsection A of this section, shall be at the option of the plaintiff, in the county where the father, mother or child resides.

C. Except as otherwise specifically provided by law, the venue of actions for modification, termination or enforcement of a child support order shall be:

1. In the county in Oklahoma in which the child support order was entered;

2. In the county in Oklahoma in which the custodial parent resides;

3. In the county in Oklahoma in which the noncustodial parent resides; or

4. In the county in Oklahoma which has been agreed upon by both the custodial and noncustodial parents if neither the custodial or noncustodial parent reside in the county in which the child support order was entered.

D. If the court in which the child support order was originally entered finds that for the convenience of the parties and in the interest of justice a proceeding should be conducted in another court of this state, the court may transfer the proceeding to the other court pursuant to the provisions of subsection C of this section.

SECTION 3. This act shall become effective November 1, 1996.

45-2-9083 KSM