

1 ENGROSSED HOUSE  
2 BILL NO. 1606

By: Stiles and Tibbs of the  
House

3 and

4 Anderson of the Senate  
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8 An Act relating to children; amending Section 1,  
9 Chapter 358, O.S.L. 2010 (10 O.S. Supp. 2010, Section  
10 7800), which relates to child custody presumptions;  
11 specifying the mother of a child born out of wedlock  
12 shall have custody; providing exception; and  
13 providing an effective date.

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

15 SECTION 1. AMENDATORY Section 1, Chapter 358, O.S.L.  
16 2010 (10 O.S. Supp. 2010, Section 7800), is amended to read as  
17 follows:

18 Section 7800. ~~The~~ Except as otherwise provided by law, the  
19 ~~mother of a child whose paternity has not been established is~~  
20 ~~presumed to have~~ born out of wedlock has custody of the child until  
21 ~~such time as the paternity of the child has been established~~  
22 ~~pursuant to Sections 7700 101 through 7700 902 of Title 10 of the~~  
23 ~~Oklahoma Statutes. The parents of a child whose paternity is~~  
24 ~~established are presumed to each have custody of the child until~~

1 determined otherwise by a court of competent jurisdiction. ~~Until~~  
2 ~~otherwise ordered by a court, written agreements, preferably~~  
3 ~~agreements that are the result of mediation, are encouraged to~~  
4 ~~document the scope of the legal and physical custody of the~~  
5 ~~respective parents.~~

6 SECTION 2. This act shall become effective November 1, 2011.

7 Passed the House of Representatives the 17th day of March, 2011.

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Presiding Officer of the House of  
11 Representatives

12 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2011.

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Presiding Officer of the Senate

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