

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 53rd Legislature (2011)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1606

By: Stiles

7
8 COMMITTEE SUBSTITUTE

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

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

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

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

1 ~~Oklahoma Statutes. The parents of a child whose paternity is~~
2 ~~established are presumed to each have custody of the child until~~
3 ~~determined otherwise by a court of competent jurisdiction. ~~Until~~~~
4 ~~otherwise ordered by a court, written agreements, preferably~~
5 ~~agreements that are the result of mediation, are encouraged to~~
6 ~~document the scope of the legal and physical custody of the~~
7 ~~respective parents.~~

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

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10 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 03-01-2011 - DO
11 PASS, As Amended.

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