

STATE OF OKLAHOMA

1st Session of the 53rd Legislature (2011)

SENATE BILL 526

By: Ivester

AS INTRODUCED

An Act relating to marriage and family; amending 43 O.S. 2001, Sections 601-101, as amended by Section 1, Chapter 367, O.S.L. 2004, 601-102, 601-103, as amended by Section 2, Chapter 367, O.S.L. 2004, 601-201 and 601-202, as amended by Sections 3 and 4, Chapter 367, O.S.L. 2004, 601-203, 601-204, 601-206, 601-207, 601-208 and 601-209, as amended by Sections 6, 7, 8 and 9, Chapter 367, O.S.L. 2004, Sections 10 and 11, Chapter 367, O.S.L. 2004, 601-301, 601-304, 601-305, 601-307, 601-308, 601-310, 601-311, 601-313, 601-316 and 601-317, as amended by Sections 12, 14, 15, 17, 18, 19, 20, 22, 24 and 25, Chapter 367, O.S.L. 2004, 601-318, 601-319 and 601-401, as amended by Sections 26 and 27, Chapter 367, O.S.L. 2004, 601-504, 601-505, 601-507, as amended by Section 32, Chapter 367, O.S.L. 2004, 601-601, 601-602, as amended by Section 33, Chapter 367, O.S.L. 2004, 601-603, 601-604 and 601-605, as amended by Sections 34 and 35, Chapter 367, O.S.L. 2004, 601-606, 601-607, as amended by Section 36, Chapter 367, O.S.L. 2004, 601-608, 601-609, 601-610 and 601-611, as amended by Sections 37 and 38, Chapter 367, O.S.L. 2004 and Section 41, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010, Sections 601-101, 601-103, 601-201, 601-202, 601-206, 601-207, 601-208, 601-209, 601-210, 601-211, 601-301, 601-304, 601-305, 601-307, 601-308, 601-310, 601-311, 601-313, 601-316, 601-317, 601-319, 601-401, 601-507, 601-602, 601-604, 601-605, 601-607, 601-610, 601-611 and 601-615), which relate to the Uniform Interstate Family Support Act; modifying and adding definitions; designating support enforcement agency; clarifying cumulative remedies; providing application to foreign residents and foreign support proceedings; specifying basis for jurisdiction over nonresident; identifying the roles of a tribunal; providing for

1 simultaneous proceedings involving foreign countries;
2 providing for determination of controlling child
3 support order if an order has been issued by a
4 foreign country; providing for credit of child
5 support payments made pursuant to a foreign order;
6 broadening authority of tribunal to receive evidence;
7 prohibiting modification of spousal support order
8 issued by a foreign country; modifying procedures,
9 duties and powers to provide for foreign child
10 support orders; providing for electronic
11 communications; providing for establishment of
12 support orders for persons or agencies outside this
13 state; authorizing certain proceeding to determine
14 parentage; clarifying language relating to employers;
15 providing for administrative enforcement of foreign
16 support orders; providing for registration of foreign
17 support orders; providing for choice of law if a
18 foreign country issues an order; excluding certain
19 orders from time limit to contest orders; specifying
20 that procedures apply to support orders; modifying
21 power to modify registered support orders; providing
22 circumstances in which a tribunal of this state
23 retains jurisdiction to modify an order issued by a
24 tribunal of this state; authorizing a tribunal of
this state to modify foreign child support orders
under certain circumstances; providing procedure to
register child support order of foreign country for
modification; updating language; establishing Article
7 of the Uniform Interstate Family Support Act;
defining terms; providing for applicability of
Article 7; recognizing the Department of Human
Services as the agency designated to perform certain
functions under the Convention on the International
Recovery of Child Support and Other Forms of Family
Maintenance; providing duties of the Department of
Human Services; authorizing certain support
proceedings; prohibiting state tribunals from
requiring security, bond or deposit for certain costs
and expenses; authorizing direct request for certain
purposes and establishing procedure therefor;
authorizing alternative procedure; authorizing and
providing procedure for registration of Convention
support order; providing for notification; providing
procedure for contest of registered Convention
support order; providing for recognition and
enforcement of registered Convention support order;
authorizing partial enforcement; providing for

1 recognition and enforcement of foreign support
2 agreements; authorizing the modification of
3 Convention support orders under certain
4 circumstances; limiting the use of personal
5 information; requiring filed record to be in original
6 language with an English translation; providing
7 application of act to proceeding begun on or after a
8 certain date; repealing 43 O.S. 2001, Section 601-
9 701, as amended by Section 42, Chapter 367, O.S.L.
10 2004 (43 O.S. Supp. 2010, Section 601-701), which
11 relates to proceedings to determine parentage;
12 providing for codification; providing for
13 noncodification; and providing an effective date.

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

SECTION 1. AMENDATORY 43 O.S. 2001, Section 601-101, as
amended by Section 1, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
Section 601-101), is amended to read as follows:

Section 601-101. In the Uniform Interstate Family Support Act:

1. "Child" means an individual, whether over or under the age
of majority, who is or is alleged to be owed a duty of support by
the individual's parent or who is or is alleged to be the
beneficiary of a support order directed to the parent;

2. "Child support order" means a support order for a child,
including a child who has attained the age of majority under the law
of the issuing state;

3. "Convention" means the Convention on the International
Recovery of Child Support and Other Forms of Family Maintenance,
concluded at The Hague on November 23, 2007;

1 4. "Duty of support" means an obligation imposed or imposable
2 by law to provide support for a child, spouse, or former spouse,
3 including an unsatisfied obligation to provide support;

4 ~~4.~~ 5. "Foreign country" means a country, including a political
5 subdivision thereof, other than the United States, that authorizes
6 the issuance of support orders and:

7 a. which has been declared under the law of the United
8 States to be a foreign reciprocating country,

9 b. which has established a reciprocal arrangement for
10 child support with this state as provided in Section
11 601-308 of this title,

12 c. which has enacted a law or established procedures for
13 the issuance and enforcement of support orders which
14 are substantially similar to the procedures under the
15 Uniform Interstate Family Support Act, or

16 d. in which the Convention is in force with respect to
17 the United States;

18 6. "Foreign support order" means a support order of a foreign
19 tribunal;

20 7. "Foreign tribunal" means a court, administrative agency, or
21 quasi-judicial entity of a foreign country which is authorized to
22 establish, enforce, or modify support orders or to determine
23 parentage of a child. The term includes a competent authority under
24 the Convention;

1 8. "Home state" means the state or foreign country in which a
2 child lived with a parent or a person acting as parent for at least
3 six (6) consecutive months immediately preceding the time of filing
4 of a petition or comparable pleading for support and, if a child is
5 less than six (6) months old, the state or foreign country in which
6 the child lived from birth with any of them. A period of temporary
7 absence of any of them is counted as part of the six-month or other
8 period;

9 ~~5.~~ 9. "Income" includes earnings or other periodic entitlements
10 to money from any source and any other property subject to
11 withholding for support under the law of this state;

12 ~~6.~~ 10. "Income-withholding order" means an order or other legal
13 process directed to an obligor's ~~employer or other debtor~~ payor, as
14 defined by ~~the income withholding law of this state~~ Section 1171.3
15 of Title 12 of the Oklahoma Statutes, to withhold support from the
16 income of the obligor;

17 ~~7.~~ "Initiating state" means ~~a state from which a proceeding is~~
18 ~~forwarded or in which a proceeding is filed for forwarding to a~~
19 ~~responding state under this act or a law or procedure substantially~~
20 ~~similar to this act;~~

21 ~~8.~~ 11. "Initiating tribunal" means the ~~authorized~~ tribunal ~~in~~
22 ~~an initiating state~~ of a state or foreign country from which a
23 petition or comparable pleading is forwarded or in which a petition

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1 or comparable pleading is filed for forwarding to another state or
2 foreign country;

3 ~~9.~~ 12. "Issuing foreign country" means the foreign country in
4 which a tribunal issues a support order or a judgment determining
5 parentage of a child;

6 13. "Issuing state" means the state in which a tribunal issues
7 a support order or ~~renders~~ a judgment determining parentage of a
8 child;

9 ~~10.~~ 14. "Issuing tribunal" means the tribunal of a state or
10 foreign country that issues a support order or ~~renders~~ a judgment
11 determining parentage of a child;

12 ~~11.~~ 15. "Law" includes decisional and statutory law and rules
13 and regulations having the force of law;

14 ~~12.~~ 16. "Obligee" means:

- 15 a. an individual to whom a duty of support is or is
16 alleged to be owed or in whose favor a support order
17 ~~has been issued~~ or a judgment determining parentage of
18 a child has been ~~rendered~~ issued,
- 19 b. a foreign country, state, or political subdivision of
20 a state to which the rights under a duty of support or
21 support order have been assigned or which has
22 independent claims based on financial assistance
23 provided to an individual obligee in place of child
24 support, or

1 c. an individual seeking a judgment determining parentage
2 of the individual's child, or

3 d. a person that is a creditor under Article 7 of the
4 Uniform Interstate Family Support Act;

5 ~~13.~~ 17. "Obligor" means an individual, or the estate of a
6 decedent that:

7 a. ~~who~~ owes or is alleged to owe a duty of support,

8 b. ~~who~~ is alleged but has not been adjudicated to be a
9 parent of a child, ~~or~~

10 c. ~~who~~ is liable under a support order, or

11 d. is a debtor in a proceeding under Article 7 of the
12 Uniform Interstate Family Support Act;

13 ~~14.~~ 18. "Outside this state" means a location in another state
14 or a country other than the United States, whether or not the
15 country is a foreign country;

16 19. "Person" means an individual, corporation, business trust,
17 estate, trust, partnership, limited liability company, association,
18 joint venture, public corporation, government, or governmental
19 subdivision, agency, or instrumentality, ~~public corporation,~~ or any
20 other legal or commercial entity;

21 ~~15.~~ 20. "Record" means information that is inscribed on a
22 tangible medium or that is stored in an electronic or other medium
23 and is retrievable in perceivable form;

1 ~~16.~~ 21. "Register" means to record or file in a tribunal of
2 this state a support order or judgment determining parentage ~~in the~~
3 ~~appropriate location for the recording or filing of foreign~~
4 ~~judgments generally or foreign support orders specifically~~ of a
5 child issued in another state or a foreign country;

6 ~~17.~~ 22. "Registering tribunal" means a tribunal in which a
7 support order or judgment determining parentage of a child is
8 registered;

9 ~~18.~~ 23. "Responding state" means a state in which a ~~proceeding~~
10 petition or comparable pleading for support or to determine
11 parentage of a child is filed or to which a ~~proceeding~~ petition or
12 comparable pleading is forwarded for filing from ~~an initiating state~~
13 ~~pursuant to the Uniform Interstate Family Support Act or a law or~~
14 ~~procedure substantially similar to the Uniform Interstate Family~~
15 ~~Support Act, the Uniform Reciprocal Enforcement of Support Act, or~~
16 ~~the Revised Uniform Reciprocal Enforcement of Support Act~~ another
17 state or a foreign country;

18 ~~19.~~ 24. "Responding tribunal" means the authorized tribunal in
19 a responding state or foreign country;

20 ~~20.~~ 25. "Spousal support order" means a support order for a
21 spouse or former spouse of the obligor;

22 ~~21.~~ 26. "State" means a state of the United States, the
23 District of Columbia, Puerto Rico, the United States Virgin Islands,
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1 or any territory or insular possession ~~subject to~~ under the
2 jurisdiction of the United States. The term includes:

3 a. an Indian nation or tribe, ~~and~~

4 b. ~~a foreign country or political subdivision that:~~

5 ~~(1) has been declared to be a foreign reciprocating~~
6 ~~country or political subdivision under federal~~
7 ~~law,~~

8 ~~(2) has established a reciprocal arrangement for~~
9 ~~child support with this state pursuant to the~~
10 ~~Uniform Interstate Family Support Act, or~~

11 ~~(3) has enacted a law or established procedures for~~
12 ~~issuance and enforcement of support orders which~~
13 ~~are substantially similar to the procedures~~
14 ~~pursuant to the Uniform Interstate Family Support~~
15 ~~Act;~~

16 ~~22.~~ 27. "Support enforcement agency" means a public official,
17 governmental entity, or private agency authorized to ~~seek:~~

18 a. seek enforcement of support orders or laws relating to
19 the duty of support,

20 b. seek establishment or modification of child support,

21 c. request determination of parentage of a child,

22 d. ~~location of~~ attempt to locate obligors or their
23 assets, or
24

1 e. request determination of the controlling child support
2 order;

3 ~~23.~~ 28. "Support order" means a judgment, decree, order,
4 decision, or directive, whether temporary, final, or subject to
5 modification, issued ~~by a tribunal~~ in a state or foreign country for
6 the benefit of a child, a spouse, or a former spouse, which provides
7 for monetary support, health care, arrearages, retroactive support,
8 or reimbursement, ~~and~~ for financial assistance provided to an
9 individual obligee in place of child support. The term may include
10 related costs and fees, interest, income withholding, automatic
11 adjustment, reasonable attorney's attorney fees, and other relief;
12 and

13 ~~24.~~ 29. "Tribunal" means a court, administrative agency, or
14 quasi-judicial entity authorized to establish, enforce, or modify
15 support orders or to determine parentage of a child.

16 SECTION 2. AMENDATORY 43 O.S. 2001, Section 601-102, is
17 amended to read as follows:

18 Section 601-102. A. The district court and the Department of
19 Human Services are the tribunals of this state.

20 B. The Department of Human Services is the support enforcement
21 agency of this state.

22 SECTION 3. AMENDATORY 43 O.S. 2001, Section 601-103, as
23 amended by Section 2, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
24 Section 601-103), is amended to read as follows:

1 Section 601-103. A. Remedies provided by ~~this act~~ the Uniform
2 Interstate Family Support Act are cumulative and do not affect the
3 availability of remedies under other law, ~~including~~ or the
4 recognition of a foreign support order ~~of a foreign country or~~
5 ~~political subdivision~~ on the basis of comity.

6 B. ~~This act~~ The Uniform Interstate Family Support Act does not:

7 1. Provide the exclusive method of establishing or enforcing a
8 support order under the laws of this state; or

9 2. Grant ~~a tribunal~~ tribunals of this state jurisdiction to
10 render judgment or issue ~~an order~~ orders relating to child custody
11 or visitation in a ~~proceeding~~ proceedings under ~~this act~~ the Uniform
12 Interstate Family Support Act.

13 SECTION 4. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 601-104 of Title 43, unless
15 there is created a duplication in numbering, reads as follows:

16 A. A tribunal of this state shall apply Articles 1 through 6 of
17 the Uniform Interstate Family Support Act and, as applicable,
18 Article 7 of the Uniform Interstate Family Support Act to a support
19 proceeding involving:

- 20 1. A foreign support order;
21 2. A foreign tribunal; or
22 3. An obligee, obligor, or child residing in a foreign country.

23 B. A tribunal of this state that is requested to recognize and
24 enforce a support order on the basis of comity may apply the

1 procedural and substantive provisions of Articles 1 through 6 of the
2 Uniform Interstate Family Support Act.

3 C. Article 7 of the Uniform Interstate Family Support Act
4 applies only to a support proceeding under the Convention. In such
5 a proceeding, if a provision of Article 7 is inconsistent with
6 Articles 1 through 6 of the Uniform Interstate Family Support Act,
7 Article 7 controls.

8 SECTION 5. AMENDATORY 43 O.S. 2001, Section 601-201, as
9 amended by Section 3, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
10 Section 601-201), is amended to read as follows:

11 Section 601-201. A. In a proceeding to establish or enforce a
12 support order or to determine parentage of a child, a tribunal of
13 this state may exercise personal jurisdiction over a nonresident
14 individual or the individual's guardian or conservator if:

15 1. The individual is personally served with summons within this
16 state;

17 2. The individual submits to the jurisdiction of this state by
18 consent, by entering a general appearance, or by filing a responsive
19 document having the effect of waiving any contest to personal
20 jurisdiction;

21 3. The individual resided with the child in this state;

22 4. The individual resided in this state and provided prenatal
23 expenses or support for the child;

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1 5. The child resides in this state as a result of the acts or
2 directives of the individual;

3 6. The individual engaged in sexual intercourse in this state
4 and the child may have been conceived by that act of intercourse;

5 7. The individual asserted parentage of a child in the putative
6 father registry maintained in this state by the ~~appropriate agency~~
7 Department of Human Services; or

8 8. There is any other basis consistent with the constitutions
9 of this state and the United States for the exercise of personal
10 jurisdiction.

11 B. The bases of personal jurisdiction set forth in subsection A
12 of this section or in any other law of this state may not be used to
13 acquire personal jurisdiction for a tribunal of the state to modify
14 a child support order of another state unless the requirements of
15 Section 601-611 of this title ~~or Section 41 of this act~~ are met, or,
16 in the case of a foreign support order, unless the requirements of
17 Section 601-615 of this title are met.

18 SECTION 6. AMENDATORY 43 O.S. 2001, Section 601-202, as
19 amended by Section 4, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
20 Section 601-202), is amended to read as follows:

21 Section 601-202. Personal jurisdiction acquired by a tribunal
22 of this state in a proceeding under ~~this act~~ the Uniform Interstate
23 Family Support Act or other law of this state relating to a support
24 order continues as long as a tribunal of this state has continuing,

1 exclusive jurisdiction to modify its order or continuing
2 jurisdiction to enforce its order as provided by Sections 601-205
3 ~~and, 601-206 and 601-211~~ of this title ~~and Section 11 of this act.~~

4 SECTION 7. AMENDATORY 43 O.S. 2001, Section 601-203, is
5 amended to read as follows:

6 Section 601-203. Under ~~this act~~ the Uniform Interstate Family
7 Support Act, a tribunal of this state may serve as an initiating
8 tribunal to forward proceedings to a tribunal of another state and
9 as a responding tribunal for proceedings initiated in another state
10 or foreign country.

11 SECTION 8. AMENDATORY 43 O.S. 2001, Section 601-204, is
12 amended to read as follows:

13 Section 601-204. A. A tribunal of this state may exercise
14 jurisdiction to establish a support order if the petition or
15 comparable pleading is filed after a petition or comparable pleading
16 is filed in another state or foreign country only if:

17 1. The petition or comparable pleading in this state is filed
18 before the expiration of the time allowed in the other state or
19 foreign country for filing a responsive pleading challenging the
20 exercise of jurisdiction by the other state or foreign country;

21 2. The contesting party timely challenges the exercise of
22 jurisdiction in the other state or foreign country; and

23 3. If relevant, this state is the home state of the child.
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1 B. A tribunal of this state may not exercise jurisdiction to
2 establish a support order if the petition or comparable pleading is
3 filed before a petition or comparable pleading is filed in another
4 state or foreign country if:

5 1. The petition or comparable pleading in the other state or
6 foreign country is filed before the expiration of the time allowed
7 in this state for filing a responsive pleading challenging the
8 exercise of jurisdiction by this state;

9 2. The contesting party timely challenges the exercise of
10 jurisdiction in this state; and

11 3. If relevant, the other state or foreign country is the home
12 state of the child.

13 SECTION 9. AMENDATORY 43 O.S. 2001, Section 601-206, as
14 amended by Section 6, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
15 Section 601-206), is amended to read as follows:

16 Section 601-206. A. A tribunal of this state that has issued a
17 child support order consistent with the law of this state may serve
18 as an initiating tribunal to request a tribunal of another state to
19 enforce:

20 1. The order if the order is the controlling order and has not
21 been modified by a tribunal of another state that assumed
22 jurisdiction pursuant to ~~this act~~ the Uniform Interstate Family
23 Support Act; or

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1 2. A money judgment for arrears of support and interest on the
2 order accrued before a determination that an order of a tribunal of
3 another state is the controlling order.

4 B. A tribunal of this state having continuing jurisdiction over
5 a support order may act as a responding tribunal to enforce the
6 order.

7 SECTION 10. AMENDATORY 43 O.S. 2001, Section 601-207, as
8 amended by Section 7, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
9 Section 601-207), is amended to read as follows:

10 Section 601-207. A. If a proceeding is brought pursuant to the
11 Uniform Interstate Family Support Act and only one tribunal has
12 issued a child support order, the order of that tribunal controls
13 and must be ~~se~~ recognized.

14 B. If a proceeding is brought pursuant to the Uniform
15 Interstate Family Support Act, and two or more child support orders
16 have been issued by tribunals of this state ~~or~~, another state, or a
17 foreign country with regard to the same obligor and same child, a
18 tribunal of this state having personal jurisdiction over both the
19 obligor and individual obligee shall apply the following rules and
20 by order shall determine which order controls and must be
21 recognized:

22 1. If only one of the tribunals would have continuing,
23 exclusive jurisdiction pursuant to the Uniform Interstate Family
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1 Support Act, the order of that tribunal controls ~~and must be so~~
2 ~~recognized~~;

3 2. If more than one of the tribunals would have continuing,
4 exclusive jurisdiction pursuant to the Uniform Interstate Family
5 Support Act:

- 6 a. an order issued by a tribunal in the current home
7 state of the child controls, ~~but~~ or
- 8 b. if an order has not been issued in the current home
9 state of the child, the order most recently issued
10 controls; and

11 3. If none of the tribunals would have continuing, exclusive
12 jurisdiction pursuant to the Uniform Interstate Family Support Act,
13 the tribunal of this state shall issue a child support order, which
14 controls.

15 C. If two or more child support orders have been issued for the
16 same obligor and same child, upon request of a party who is an
17 individual or that is a support enforcement agency, a tribunal of
18 this state having personal jurisdiction over both the obligor and
19 the obligee who is an individual shall determine which order
20 controls under subsection B of this section. The request may be
21 filed with a registration for enforcement or registration for
22 modification pursuant to Article 6 of ~~this title~~ the Uniform
23 Interstate Family Support Act, or may be filed as a separate
24 proceeding.

1 D. A request to determine which is the controlling order must
2 be accompanied by a copy of every child support order in effect and
3 the applicable record of payments. The requesting party shall give
4 notice of the request to each party whose rights may be affected by
5 the determination.

6 E. The tribunal that issued the controlling order under
7 subsection A, B, or C of this section has continuing jurisdiction to
8 the extent provided in Section 601-205 or 601-206 of this title.

9 F. A tribunal of this state that determines by order which is
10 the controlling order under paragraph 1 or 2 of subsection B or
11 subsection C of this section, or that issues a new controlling order
12 under paragraph 3 of subsection B of this section, shall state in
13 that order:

- 14 1. The basis upon which the tribunal made its determination;
- 15 2. The amount of prospective support, if any; and
- 16 3. The total amount of consolidated arrears and accrued
17 interest, if any, under all of the orders after all payments made
18 are credited as provided by Section 601-209 of this title.

19 G. Within thirty (30) days after issuance of an order
20 determining which is the controlling order, the party obtaining the
21 order shall file a certified copy of it in each tribunal that issued
22 or registered an earlier order of child support. A party or support
23 enforcement agency obtaining the order that fails to file a
24 certified copy is subject to appropriate sanctions by a tribunal in

1 which the issue of failure to file arises. The failure to file does
2 not affect the validity or enforceability of the controlling order.

3 H. An order that has been determined to be the controlling
4 order, or a judgment for consolidated arrears of support and
5 interest, if any, made pursuant to this section must be recognized
6 in proceedings under ~~this act~~ the Uniform Interstate Family Support
7 Act.

8 SECTION 11. AMENDATORY 43 O.S. 2001, Section 601-208, as
9 amended by Section 8, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
10 Section 601-208), is amended to read as follows:

11 Section 601-208. In responding to registrations or petitions
12 for enforcement of two or more child support orders in effect at the
13 same time with regard to the same obligor and different individual
14 obligees, at least one of which was issued by a tribunal of another
15 state or a foreign country, a tribunal of this state shall enforce
16 those orders in the same manner as if the orders had been issued by
17 a tribunal of this state.

18 SECTION 12. AMENDATORY 43 O.S. 2001, Section 601-209, as
19 amended by Section 9, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
20 Section 601-209), is amended to read as follows:

21 Section 601-209. A tribunal of this state shall credit amounts
22 collected for a particular period pursuant to any child support
23 order against the amounts owed for the same period under any other
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1 child support order for support of the same child issued by a
2 tribunal of this ~~or~~ state, another state, or a foreign country.

3 SECTION 13. AMENDATORY Section 10, Chapter 367, O.S.L.
4 2004 (43 O.S. Supp. 2010, Section 601-210), is amended to read as
5 follows:

6 Section 601-210. A tribunal of this state exercising personal
7 jurisdiction over a nonresident in a proceeding under ~~this act~~ the
8 Uniform Interstate Family Support Act, under other law of this state
9 relating to a support order, or recognizing a foreign support order
10 ~~of a foreign country or political subdivision on the basis of comity~~
11 may receive evidence from ~~another~~ outside this state pursuant to
12 Section 601-316 of ~~Title 43 of the Oklahoma Statutes~~ this title,
13 communicate with a tribunal ~~of another~~ outside this state pursuant
14 to Section 601-317 of ~~Title 43 of the Oklahoma Statutes~~ this title,
15 and obtain discovery through a tribunal ~~of another~~ outside this
16 state pursuant to Section 601-318 of ~~Title 43 of the Oklahoma~~
17 ~~Statutes~~ this title. In all other respects, Articles 3 through 7 of
18 ~~this title~~ the Uniform Interstate Family Support Act do not apply
19 and the tribunal shall apply the procedural and substantive law of
20 this state.

21 SECTION 14. AMENDATORY Section 11, Chapter 367, O.S.L.
22 2004 (43 O.S. Supp. 2010, Section 601-211), is amended to read as
23 follows:
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1 Section 601-211. A. A tribunal of this state issuing a spousal
2 support order consistent with the law of this state has continuing,
3 exclusive jurisdiction to modify the spousal support order
4 throughout the existence of the support obligation.

5 B. A tribunal of this state may not modify a spousal support
6 order issued by a tribunal of another state or a foreign country
7 having continuing, exclusive jurisdiction over that order under the
8 law of that state or foreign country.

9 C. A tribunal of this state that has continuing, exclusive
10 jurisdiction over a spousal support order may serve as:

11 1. An initiating tribunal to request a tribunal of another
12 state to enforce the spousal support order issued in this state; or

13 2. A responding tribunal to enforce or modify its own spousal
14 support order.

15 SECTION 15. AMENDATORY 43 O.S. 2001, Section 601-301, as
16 amended by Section 12, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
17 Section 601-301), is amended to read as follows:

18 Section 601-301. A. Except as otherwise provided in ~~this act~~
19 the Uniform Interstate Family Support Act, this article applies to
20 all proceedings under ~~this act~~ the Uniform Interstate Family Support
21 Act.

22 B. An individual petitioner or a support enforcement agency may
23 initiate a proceeding authorized under ~~this act~~ the Uniform
24 Interstate Family Support Act by filing a petition in an initiating

1 tribunal for forwarding to a responding tribunal or by filing a
2 petition or a comparable pleading directly in a tribunal of another
3 state or a foreign country which has or can obtain personal
4 jurisdiction over the respondent.

5 SECTION 16. AMENDATORY 43 O.S. 2001, Section 601-304, as
6 amended by Section 14, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
7 Section 601-304), is amended to read as follows:

8 Section 601-304. A. Upon the filing of a petition authorized
9 by the Uniform Interstate Family Support Act, an initiating tribunal
10 of this state shall forward the petition and its accompanying
11 documents:

12 1. To the responding tribunal or appropriate support
13 enforcement agency in the responding state; or

14 2. If the identity of the responding tribunal is unknown, to
15 the state information agency of the responding state with a request
16 that they be forwarded to the appropriate tribunal and that receipt
17 be acknowledged.

18 B. If requested by the responding tribunal, a tribunal of this
19 state shall issue a certificate or other document and make findings
20 required by the law of the responding state. If the responding
21 state tribunal is in a foreign country ~~or political subdivision~~,
22 upon request the tribunal of this state shall specify the amount of
23 support sought, convert that amount into the equivalent amount in
24 the foreign currency under applicable official or market exchange

1 rate as publicly reported, and provide any other documents necessary
2 to satisfy the requirements of the responding ~~state~~ foreign
3 tribunal.

4 SECTION 17. AMENDATORY 43 O.S. 2001, Section 601-305, as
5 amended by Section 15, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
6 Section 601-305), is amended to read as follows:

7 Section 601-305. A. When a responding tribunal of this state
8 receives a petition or comparable pleading from an initiating
9 tribunal or directly pursuant to subsection B of Section 601-301 of
10 this title, it shall cause the petition or pleading to be filed and
11 notify the petitioner where and when it was filed.

12 B. A responding tribunal of this state, to the extent not
13 prohibited by other law, may do one or more of the following:

14 1. ~~Issue~~ Establish or enforce a support order, modify a child
15 support order, determine the controlling child support order, or
16 determine parentage of a child;

17 2. Order an obligor to comply with a support order, specifying
18 the amount and the manner of compliance;

19 3. Order income withholding;

20 4. Determine the amount of any arrearages, and specify a method
21 of payment;

22 5. Enforce orders by civil or criminal contempt, or both;

23 6. Set aside property for satisfaction of the support order;

24 7. Place liens and order execution on the obligor's property;

1 8. Order an obligor to keep the tribunal informed of the
2 obligor's current residential address, electronic-mail address,
3 telephone number, employer, address of employment, and telephone
4 number at the place of employment;

5 9. Issue a bench warrant for an obligor who has failed after
6 proper notice to appear at a hearing ordered by the tribunal and
7 enter the bench warrant in any local and state computer systems for
8 criminal warrants;

9 10. Order the obligor to seek appropriate employment by
10 specified methods;

11 11. Award reasonable attorney's fees and other fees and costs;
12 and

13 12. Grant any other available remedy.

14 C. A responding tribunal of this state shall include in a
15 support order issued pursuant to the Uniform Interstate Family
16 Support Act, or in the documents accompanying the order, the
17 calculations on which the support order is based.

18 D. A responding tribunal of this state may not condition the
19 payment of a support order issued pursuant to the Uniform Interstate
20 Family Support Act upon compliance by a party with provisions for
21 visitation.

22 E. If a responding tribunal of this state issues an order
23 pursuant to the Uniform Interstate Family Support Act, the tribunal
24

1 shall send a copy of the order to the petitioner and the respondent
2 and to the initiating tribunal, if any.

3 F. If requested to enforce a support order, arrears, or
4 judgment or modify a support order stated in a foreign currency, a
5 responding tribunal of this state shall convert the amount stated in
6 the foreign currency to the equivalent amount in dollars under the
7 applicable official or market exchange rate as publicly reported.

8 SECTION 18. AMENDATORY 43 O.S. 2001, Section 601-307, as
9 amended by Section 17, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
10 Section 601-307), is amended to read as follows:

11 Section 601-307. A. A support enforcement agency of this
12 state, upon request, shall provide services to a petitioner in a
13 proceeding pursuant to the Uniform Interstate Family Support Act.

14 B. A support enforcement agency of this state that is providing
15 services to the petitioner shall:

16 1. Take all steps necessary to enable an appropriate tribunal
17 ~~in~~ of this state ~~or~~, another state, or a foreign country to obtain
18 jurisdiction over the respondent;

19 2. Request an appropriate tribunal to set a date, time, and
20 place for a hearing;

21 3. Make a reasonable effort to obtain all relevant information,
22 including information as to income and property of the parties;

23 4. Within two (2) days, exclusive of Saturdays, Sundays, and
24 legal holidays, after receipt of a written notice in a record from

1 an initiating, responding, or registering tribunal, send a copy of
2 the notice to the petitioner;

3 5. Within two (2) days, exclusive of Saturdays, Sundays, and
4 legal holidays, after receipt of a written communication from the
5 respondent or the respondent's attorney, send a copy of the
6 communication to the petitioner; and

7 6. Notify the petitioner if jurisdiction over the respondent
8 cannot be obtained.

9 C. A support enforcement agency of this state that requests
10 registration of a child support order in this state for enforcement
11 or for modification shall make reasonable efforts:

12 1. To ensure that the order to be registered is the controlling
13 order; or

14 2. If two or more child support orders exist and the identity
15 of the controlling order has not been determined, to ensure that a
16 request for such a determination is made in a tribunal having
17 jurisdiction to do so.

18 D. A support enforcement agency of this state that requests
19 registration and enforcement of a support order, arrears, or
20 judgment stated in a foreign currency shall convert the amounts
21 stated in the foreign currency into the equivalent amounts in
22 dollars under the applicable official or market exchange rate as
23 publicly reported.

24

1 E. A support enforcement agency of this state shall request a
2 tribunal of this state to issue a child support order and an
3 income-withholding order that redirect payment of current support,
4 arrears, and interest if requested to do so by a support enforcement
5 agency of another state pursuant to Section 601-319 of this title.

6 F. The Uniform Interstate Family Support Act does not create or
7 negate a relationship of attorney and client or other fiduciary
8 relationship between a support enforcement agency or the attorney
9 for the agency and the individual being assisted by the agency.

10 SECTION 19. AMENDATORY 43 O.S. 2001, Section 601-308, as
11 amended by Section 18, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
12 Section 601-308), is amended to read as follows:

13 Section 601-308. A. If the Attorney General determines that
14 the support enforcement agency is neglecting or refusing to provide
15 services to an individual, the Attorney General may order the agency
16 to perform its duties under ~~this act~~ the Uniform Interstate Family
17 Support Act or may provide those services directly to the
18 individual.

19 B. The Attorney General may determine that a foreign country ~~or~~
20 ~~political subdivision~~ has established a reciprocal arrangement for
21 child support with this state and take appropriate action for
22 notification of the determination.

1 SECTION 20. AMENDATORY 43 O.S. 2001, Section 601-310, as
2 amended by Section 19, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
3 Section 601-310), is amended to read as follows:

4 Section 601-310. A. The Child Support Enforcement Division of
5 the Department of Human Services is the state information agency
6 under ~~this act~~ the Uniform Interstate Family Support Act.

7 B. The state information agency shall:

8 1. Compile and maintain a current list, including addresses, of
9 the tribunals in this state which have jurisdiction under ~~this act~~
10 the Uniform Interstate Family Support Act and any support
11 enforcement agencies in this state and transmit a copy to the state
12 information agency of every other state;

13 2. Maintain a register of names and addresses of tribunals and
14 support enforcement agencies received from other states;

15 3. Forward to the appropriate tribunal in the county in this
16 state in which the obligee who is an individual or the obligor
17 resides, or in which the obligor's property is believed to be
18 located, all documents concerning a proceeding under ~~this act~~ the
19 Uniform Interstate Family Support Act received from ~~an initiating~~
20 ~~tribunal or the state information agency of the initiating~~ another
21 state or a foreign country; and

22 4. Obtain information concerning the location of the obligor
23 and the obligor's property within this state not exempt from
24 execution, by such means as postal verification and federal or state

1 locator services, examination of telephone directories, requests for
2 the obligor's address from employers, and examination of
3 governmental records, including, to the extent not prohibited by
4 other law, those relating to real property, vital statistics, law
5 enforcement, taxation, motor vehicles, driver's licenses, and social
6 security.

7 SECTION 21. AMENDATORY 43 O.S. 2001, Section 601-311, as
8 amended by Section 20, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
9 Section 601-311), is amended to read as follows:

10 Section 601-311. A. In a proceeding under ~~this act~~ the Uniform
11 Interstate Family Support Act, a petitioner seeking to establish a
12 support order, to determine parentage of a child, or to register and
13 modify a support order of a tribunal of another state or a foreign
14 country must file a petition. Unless otherwise ordered under
15 Section 601-312 of this title, the petition or accompanying
16 documents must provide, so far as known, the name, residential
17 address, and social security numbers of the obligor and the obligee
18 or the parent and alleged parent, and the name, sex, residential
19 address, Social Security number, and date of birth of each child for
20 whose benefit support is sought or whose parentage is to be
21 determined. Unless filed at the time of registration, the petition
22 must be accompanied by a copy of any support order known to have
23 been issued by another tribunal. The petition may include any other

24

1 information that may assist in locating or identifying the
2 respondent.

3 B. The petition must specify the relief sought. The petition
4 and accompanying documents must conform substantially with the
5 requirements imposed by the forms mandated by federal law for use in
6 cases filed by a support enforcement agency.

7 SECTION 22. AMENDATORY 43 O.S. 2001, Section 601-313, as
8 amended by Section 22, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
9 Section 601-313), is amended to read as follows:

10 Section 601-313. A. The petitioner may not be required to pay
11 a filing fee or other costs.

12 B. If an obligee prevails, a responding tribunal of this state
13 may assess against an obligor filing fees, reasonable ~~attorney's~~
14 attorney fees, other costs, and necessary travel and other
15 reasonable expenses incurred by the obligee and the obligee's
16 witnesses. The tribunal may not assess fees, costs, or expenses
17 against the obligee or the support enforcement agency of either the
18 initiating or the responding state or foreign country, except as
19 provided by other law. ~~Attorney's~~ Attorney fees may be taxed as
20 costs, and may be ordered paid directly to the attorney, who may
21 enforce the order in the attorney's own name. Payment of support
22 owed to the obligee has priority over fees, costs and expenses.

23 C. The tribunal shall order the payment of costs and reasonable
24 attorney's fees if it determines that a hearing was requested

1 primarily for delay. In a proceeding under ~~Sections 601-601 through~~
2 ~~601-612 of this title~~ Article 6 of the Uniform Interstate Family
3 Support Act, a hearing is presumed to have been requested primarily
4 for delay if a registered support order is confirmed or enforced
5 without change.

6 SECTION 23. AMENDATORY 43 O.S. 2001, Section 601-316, as
7 amended by Section 24, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
8 Section 601-316), is amended to read as follows:

9 Section 601-316. A. The physical presence of a nonresident
10 party who is an individual in a tribunal of this state is not
11 required for the establishment, enforcement, or modification of a
12 support order or the rendition of a judgment determining parentage
13 of a child.

14 B. An affidavit, a document substantially complying with
15 federally mandated forms, or a document incorporated by reference in
16 any of them, which would not be excluded under the hearsay rule if
17 given in person, is admissible in evidence if given under penalty of
18 perjury by a party or witness residing ~~in another~~ outside this
19 state.

20 C. A copy of the record of child support payments certified as
21 a true copy of the original by the custodian of the record may be
22 forwarded to a responding tribunal. The copy is evidence of facts
23 asserted in it, and is admissible to show whether payments were
24 made.

1 D. Copies of bills for testing for parentage of a child, and
2 for prenatal and postnatal health care of the mother and child,
3 furnished to the adverse party at least ten (10) days before trial,
4 are admissible in evidence to prove the amount of the charges billed
5 and that the charges were reasonable, necessary, and customary.

6 E. Documentary evidence transmitted from ~~another~~ outside this
7 state to a tribunal of this state by telephone, telecopier, or other
8 electronic means that do not provide an original record may not be
9 excluded from evidence on an objection based on the means of
10 transmission.

11 F. In a proceeding under ~~this act~~ the Uniform Interstate Family
12 Support Act, a tribunal of this state shall permit a party or
13 witness residing ~~in another~~ outside this state to be deposed or to
14 testify by telephone, audiovisual means, or other electronic means
15 at a designated tribunal or other location ~~in that state~~. A
16 tribunal of this state shall cooperate with other tribunals ~~of other~~
17 ~~states~~ in designating an appropriate location for the deposition or
18 testimony.

19 G. If a party called to testify at a civil hearing refuses to
20 answer on the ground that the testimony may be self-incriminating,
21 the trier of fact may draw an adverse inference from the refusal.

22 H. A privilege against disclosure of communications between
23 spouses does not apply in a proceeding under ~~this act~~ the Uniform
24 Interstate Family Support Act.

1 I. The defense of immunity based on the relationship of husband
2 and wife or parent and child does not apply in a proceeding under
3 ~~this act~~ the Uniform Interstate Family Support Act.

4 J. A voluntary acknowledgment of paternity, certified as a true
5 copy, is admissible to establish parentage of the child.

6 SECTION 24. AMENDATORY 43 O.S. 2001, Section 601-317, as
7 amended by Section 25, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
8 Section 601-317), is amended to read as follows:

9 Section 601-317. A tribunal of this state may communicate with
10 a tribunal ~~of another~~ outside this state ~~or foreign country or~~
11 ~~political subdivision~~ in a record, or by telephone, electronic mail,
12 or other means, to obtain information concerning the laws, the legal
13 effect of a judgment, decree, or order of that tribunal, and the
14 status of a proceeding in the other state or foreign country or
15 political subdivision. A tribunal of this state may furnish similar
16 information by similar means to a tribunal ~~of another~~ outside this
17 state ~~or foreign country or political subdivision~~.

18 SECTION 25. AMENDATORY 43 O.S. 2001, Section 601-318, is
19 amended to read as follows:

20 Section 601-318. A tribunal of this state may:

21 1. Request a tribunal ~~of another~~ outside this state to assist
22 in obtaining discovery; and

23

24

1 2. Upon request, compel a person over ~~whom~~ which it has
2 jurisdiction to respond to a discovery order issued by a tribunal ~~of~~
3 ~~another~~ outside this state.

4 SECTION 26. AMENDATORY 43 O.S. 2001, Section 601-319, as
5 amended by Section 26, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
6 Section 601-319), is amended to read as follows:

7 Section 601-319. A. A support enforcement agency or tribunal
8 of this state shall disburse promptly any amounts received pursuant
9 to a support order, as directed by the order. The agency or
10 tribunal shall furnish to a requesting party or tribunal of another
11 state or a foreign country a certified statement by the custodian of
12 the record of the amounts and dates of all payments received.

13 B. If neither the obligor, nor the obligee who is an
14 individual, nor the child resides in this state, upon request from
15 the Department of Human Services or the support enforcement agency
16 ~~of this state or~~ another state, the ~~support enforcement agency of~~
17 ~~this state~~ Department of Human Services or a tribunal of this state
18 shall:

19 1. Direct that the support payment be made to the support
20 enforcement agency in the state in which the obligee is receiving
21 services; and

22 2. Issue and send to the obligor's employer a conforming
23 income-withholding order or an administrative notice of change of
24 payee, reflecting the redirected payments.

1 C. The support enforcement agency of this state receiving
2 redirected payments from another state pursuant to a law similar to
3 subsection B of this section shall furnish to a requesting party or
4 tribunal of the other state a certified statement by the custodian
5 of the record of the amount and dates of all payments received.

6 SECTION 27. AMENDATORY 43 O.S. 2001, Section 601-401, as
7 amended by Section 27, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
8 Section 601-401), is amended to read as follows:

9 Section 601-401. A. If a support order entitled to recognition
10 under ~~this act~~ the Uniform Interstate Family Support Act has not
11 been issued, a responding tribunal of this state with personal
12 jurisdiction over the parties may issue a support order if:

13 1. The individual seeking the order resides ~~in another~~ outside
14 this state; or

15 2. The support enforcement agency seeking the order is located
16 ~~in another~~ outside this state.

17 B. The tribunal may issue a temporary child support order if
18 the tribunal determines that such an order is appropriate and the
19 individual ordered to pay is:

20 1. A presumed father of the child;

21 2. Petitioning to have his paternity adjudicated;

22 3. Identified as the father of the child through genetic
23 testing;

24

1 4. An alleged father who has declined to submit to genetic
2 testing;

3 5. Shown by clear and convincing evidence to be the father of
4 the child;

5 6. An acknowledged father as provided by Section 1-311.3 of
6 Title 63 of the Oklahoma Statutes;

7 7. The mother of the child; or

8 8. An individual who has been ordered to pay child support in a
9 previous proceeding and the order has not been reversed or vacated.

10 C. Upon finding, after notice and opportunity to be heard, that
11 an obligor owes a duty of support, the tribunal shall issue a
12 support order directed to the obligor and may issue other orders
13 pursuant to Section 601-305 of this title.

14 SECTION 28. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 601-402 of Title 43, unless
16 there is created a duplication in numbering, reads as follows:

17 A tribunal of this state authorized to determine parentage of a
18 child may serve as a responding tribunal in a proceeding to
19 determine parentage of a child brought under the Uniform Interstate
20 Family Support Act or a law or procedure substantially similar to
21 the Uniform Interstate Family Support Act.

22 SECTION 29. AMENDATORY 43 O.S. 2001, Section 601-504, is
23 amended to read as follows:

24

1 Section 601-504. An employer ~~who~~ that complies with an income-
2 withholding order issued in another state in accordance with this
3 article is not subject to civil liability to an individual or agency
4 with regard to the employer's withholding of child support from the
5 obligor's income.

6 SECTION 30. AMENDATORY 43 O.S. 2001, Section 601-505, is
7 amended to read as follows:

8 Section 601-505. An employer ~~who~~ that willfully fails to comply
9 with an income-withholding order issued ~~by~~ in another state and
10 received for enforcement is subject to the same penalties that may
11 be imposed for noncompliance with an order issued by a tribunal of
12 this state.

13 SECTION 31. AMENDATORY 43 O.S. 2001, Section 601-507, as
14 amended by Section 32, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
15 Section 601-507), is amended to read as follows:

16 Section 601-507. A. A party or support enforcement agency
17 seeking to enforce a support order or an income-withholding order,
18 or both, issued ~~by a tribunal of~~ in another state or a foreign
19 support order may send the documents required for registering the
20 order to a support enforcement agency of this state.

21 B. Upon receipt of the documents, the support enforcement
22 agency, without initially seeking to register the order, shall
23 consider and, if appropriate, use any administrative procedure
24 authorized by the law of this state to enforce a support order or an

1 income-withholding order, or both. If the obligor does not contest
2 administrative enforcement, the order need not be registered. If
3 the obligor contests the validity or administrative enforcement of
4 the order, the support enforcement agency shall register the order
5 pursuant to the Uniform Interstate Family Support Act.

6 SECTION 32. AMENDATORY 43 O.S. 2001, Section 601-601, is
7 amended to read as follows:

8 Section 601-601. A support order or an income-withholding order
9 issued ~~by a tribunal of~~ in another state or a foreign support order
10 may be registered in this state for enforcement.

11 SECTION 33. AMENDATORY 43 O.S. 2001, Section 601-602, as
12 amended by Section 33, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
13 Section 601-602), is amended to read as follows:

14 Section 601-602. A. ~~A~~ Except as provided in Section 51 of this
15 act, a support order or income-withholding order of another state or
16 a foreign support order may be registered in this state by sending
17 the following records and information to the appropriate tribunal in
18 this state:

19 1. A letter of transmittal to the tribunal requesting
20 registration and enforcement;

21 2. Two copies, including one certified copy, of the order to be
22 registered, including any modification of the order;

23

24

1 3. A sworn statement by the person requesting registration or a
2 certified statement by the custodian of the records showing the
3 amount of any arrearage;

4 4. The name of the obligor and, if known:

- 5 a. the obligor's address and Social Security number,
- 6 b. the name and address of the obligor's employer and any
7 other source of income of the obligor, and
- 8 c. a description and the location of property of the
9 obligor in this state not exempt from execution; and

10 5. Except as otherwise provided in Section 601-312 of this
11 title, the name and address of the obligee and, if applicable, the
12 person to whom support payments are to be remitted.

13 B. On receipt of a request for registration, the registering
14 tribunal shall cause the order to be filed as ~~a foreign judgment~~ an
15 order of a tribunal or another state or a foreign support order,
16 together with one copy of the documents and information, regardless
17 of their form.

18 C. A petition or comparable pleading seeking a remedy that must
19 be affirmatively sought under other law of this state may be filed
20 at the same time as the request for registration or later. The
21 pleading must specify the grounds for the remedy sought.

22 D. If two or more orders are in effect, the person requesting
23 registration shall:

1 1. Furnish to the tribunal a copy of every support order
2 asserted to be in effect in addition to the documents specified in
3 this section;

4 2. Specify the order alleged to be the controlling order, if
5 any; and

6 3. Specify the amount of consolidated arrears, if any.

7 E. A request for a determination of which is the controlling
8 order may be filed separately or with a request for registration and
9 enforcement or for registration and modification. The person
10 requesting registration shall give notice of the request to each
11 party whose rights may be affected by the determination.

12 SECTION 34. AMENDATORY 43 O.S. 2001, Section 601-603, is
13 amended to read as follows:

14 Section 601-603. A. A support order or income-withholding
15 order issued in another state or a foreign support order is
16 registered when the order is filed in the registering tribunal of
17 this state.

18 B. A registered support order issued in another state or a
19 foreign country is enforceable in the same manner and is subject to
20 the same procedures as an order issued by a tribunal of this state.

21 C. Except as otherwise provided in ~~this article~~ the Uniform
22 Interstate Family Support Act, a tribunal of this state shall
23 recognize and enforce, but may not modify, a registered order if the
24 issuing tribunal had jurisdiction.

1 SECTION 35. AMENDATORY 43 O.S. 2001, Section 601-604, as
2 amended by Section 34, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
3 Section 601-604), is amended to read as follows:

4 Section 601-604. A. Except as otherwise provided in subsection
5 ~~B~~ D of this section, the law of the issuing state or foreign country
6 governs:

7 1. The nature, extent, amount, and duration of current payments
8 under a registered support order;

9 2. The computation and payment of arrearages and accrual of
10 interest on the arrearages under the support order; and

11 3. The existence and satisfaction of other obligations under
12 the support order.

13 B. In a proceeding for arrears under a registered support, the
14 statute of limitation of this state or of the issuing state or
15 foreign country, whichever is longer, applies.

16 C. A responding tribunal of this state shall apply the
17 procedures and remedies of this state to enforce current support and
18 collect arrears and interest due on a support order of another state
19 or foreign country registered in this state.

20 D. After a tribunal of this or another state determines which
21 is the controlling order and issues an order consolidating arrears,
22 if any, a tribunal of this state shall prospectively apply the law
23 of the state or foreign country issuing the controlling order,
24

1 including its law on interest on arrears, on current and future
2 support, and on consolidated arrears.

3 SECTION 36. AMENDATORY 43 O.S. 2001, Section 601-605, as
4 amended by Section 35, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
5 Section 601-605), is amended to read as follows:

6 Section 601-605. A. When a support order or income-withholding
7 order issued in another state or a foreign support order is
8 registered, the registering tribunal of this state shall notify the
9 nonregistering party. The notice must be accompanied by a copy of
10 the registered order and the documents and relevant information
11 accompanying the order.

12 B. A notice must inform the nonregistering party:

13 1. That a registered order is enforceable as of the date of
14 registration in the same manner as an order issued by a tribunal of
15 this state;

16 2. That a hearing to contest the validity or enforcement of the
17 registered order must be requested within twenty (20) days after the
18 date of mailing or personal service of the notice unless the
19 registered order is under Section 52 of this act;

20 3. That failure to contest the validity or enforcement of the
21 registered order in a timely manner will result in confirmation of
22 the order and enforcement of the order and the alleged arrearages
23 and precludes further contest of that order with respect to any
24 matter that could have been asserted; and

1 4. Of the amount of any alleged arrearages.

2 C. If the registering party asserts that two or more orders are
3 in effect, a notice shall also:

4 1. Identify the two or more orders and the order alleged by the
5 registering ~~person~~ party to be the controlling order and the
6 consolidated arrears, if any;

7 2. Notify the nonregistering party of the right to a
8 determination of which is the controlling order;

9 3. State that the procedures provided in subsection B of this
10 section apply to the determination of which is the controlling
11 order; and

12 4. State that failure to contest the validity or enforcement of
13 the order alleged to be the controlling order in a timely manner may
14 result in confirmation that the order is the controlling order.

15 D. Upon registration of an income-withholding order for
16 enforcement, the support enforcement agency or the registering
17 tribunal shall notify the obligor's employer pursuant to the income-
18 withholding law of this state.

19 SECTION 37. AMENDATORY 43 O.S. 2001, Section 601-606, is
20 amended to read as follows:

21 Section 601-606. A. A nonregistering party seeking to contest
22 the validity or enforcement of a registered order in this state
23 shall request a hearing within ~~twenty (20) days after the date of~~
24 ~~mailing or personal service of notice of the registration~~ the time

1 required by Section 601-605 of this title. The nonregistering party
2 may seek to vacate the registration, to assert any defense to an
3 allegation of noncompliance with the registered order, or to contest
4 the remedies being sought or the amount of any alleged arrearages
5 pursuant to Section 601-607 of this title.

6 B. If the nonregistering party fails to contest the validity or
7 enforcement of the registered order in a timely manner, the order is
8 confirmed by operation of law.

9 C. If a nonregistering party requests a hearing to contest the
10 validity or enforcement of the registered order, the registering
11 tribunal shall schedule the matter for hearing and give notice to
12 the parties of the date, time, and place of the hearing.

13 SECTION 38. AMENDATORY 43 O.S. 2001, Section 601-607, as
14 amended by Section 36, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
15 Section 601-607), is amended to read as follows:

16 Section 601-607. A. A party contesting the validity or
17 enforcement of a registered support order or seeking to vacate the
18 registration has the burden of proving one or more of the following
19 defenses:

20 1. The issuing tribunal lacked personal jurisdiction over the
21 contesting party;

22 2. The order was obtained by fraud;

23 3. The order has been vacated, suspended, or modified by a
24 later order;

1 4. The issuing tribunal has stayed the order pending appeal;

2 5. There is a defense under the law of this state to the remedy
3 sought;

4 6. Full or partial payment has been made;

5 7. The statute of limitation under Section 601-604 of this
6 title precludes enforcement of some or all of the alleged
7 arrearages; or

8 8. The alleged controlling order is not the controlling order.

9 B. If a party presents evidence establishing a full or partial
10 defense under subsection A of this section, a tribunal may stay
11 enforcement of ~~the~~ a registered support order, continue the
12 proceeding to permit production of additional relevant evidence, and
13 issue other appropriate orders. An uncontested portion of the
14 registered support order may be enforced by all remedies available
15 under the law of this state.

16 C. If the contesting party does not establish a defense under
17 subsection A of this section to the validity or enforcement of ~~the~~ a
18 registered order, the registering tribunal shall issue an order
19 confirming the order.

20 SECTION 39. AMENDATORY 43 O.S. 2001, Section 601-608, is
21 amended to read as follows:

22 Section 601-608. Confirmation of a registered support order,
23 whether by operation of law or after notice and hearing, precludes
24

1 further contest of the order with respect to any matter that could
2 have been asserted at the time of registration.

3 SECTION 40. AMENDATORY 43 O.S. 2001, Section 601-609, is
4 amended to read as follows:

5 Section 601-609. A party or support enforcement agency seeking
6 to modify, or to modify and enforce, a child support order issued in
7 another state shall register that order in this state in the same
8 manner provided in ~~Part A of this article~~ Sections 601-601 through
9 601-608 of this title if the order has not been registered. A
10 petition for modification may be filed at the same time as a request
11 for registration, or later. The pleading must specify the grounds
12 for modification.

13 SECTION 41. AMENDATORY 43 O.S. 2001, Section 601-610, as
14 amended by Section 37, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
15 Section 601-610), is amended to read as follows:

16 Section 601-610. A tribunal of this state may enforce a child
17 support order of another state registered for purposes of
18 modification, in the same manner as if the order had been issued by
19 a tribunal of this state, but the registered order may be modified
20 only if the requirements of Section 601-611 or 601-613 of this title
21 ~~or Section 41 of this act~~ have been met.

22 SECTION 42. AMENDATORY 43 O.S. 2001, Section 601-611, as
23 amended by Section 38, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
24 Section 601-611), is amended to read as follows:

1 Section 601-611. A. If Section 601-613 of this title does not
2 apply, ~~except as otherwise provided in Section 41 of this act,~~ upon
3 petition a tribunal of this state may modify a child support order
4 issued in another state which is registered in this state if, after
5 notice and hearing, the tribunal finds that:

6 1. The following requirements are met:

- 7 a. neither the child, nor the obligee who is an
8 individual, nor the obligor resides in the issuing
9 state,
- 10 b. a petitioner who is a nonresident of this state seeks
11 modification, and
- 12 c. the respondent is subject to the personal jurisdiction
13 of the tribunal of this state; or

14 2. This state is the ~~state of~~ residence of the child, or a
15 party who is an individual, is subject to the personal jurisdiction
16 of the tribunal of this state and all of the parties who are
17 individuals have filed consents in a record in the issuing tribunal
18 for a tribunal of this state to modify the support order and assume
19 continuing, exclusive jurisdiction.

20 B. Modification of a registered child support order is subject
21 to the same requirements, procedures, and defenses that apply to the
22 modification of an order issued by a tribunal of this state and the
23 order may be enforced and satisfied in the same manner.

1 C. ~~Except as otherwise provided in Section 41 of this act, a~~ A
2 tribunal of this state may not modify any aspect of a child support
3 order that may not be modified under the law of the issuing state,
4 including the duration of the obligation of support. If two or more
5 tribunals have issued child support orders for the same obligor and
6 same child, the order that controls and must be so recognized under
7 Section 601-207 of this title establishes the aspects of the support
8 order which are nonmodifiable.

9 D. In a proceeding to modify a child support order, the law of
10 the state that is determined to have issued the initial controlling
11 order governs the duration of the obligation of support. The
12 obligor's fulfillment of the duty of support established by the
13 order precludes imposition of a further obligation of support by a
14 tribunal of this state.

15 E. On issuance of an order by a tribunal of this state
16 modifying a child support order issued in another state, the
17 tribunal of this state becomes the tribunal having continuing,
18 exclusive jurisdiction.

19 F. Notwithstanding subsections A through E of this section and
20 subsection B of Section 601-201 of this title, a tribunal of this
21 state retains jurisdiction to modify an order issued by a tribunal
22 of this state if:

23 1. One party resides in another state; and

24 2. The other party resides outside the United States.

1 SECTION 43. AMENDATORY Section 41, Chapter 367, O.S.L.
2 2004 (43 O.S. Supp. 2010, Section 601-615), is amended to read as
3 follows:

4 Section 601-615. A. ~~If~~ Except as provided in Section 56 of
5 this act, if a foreign country or political subdivision that is a
6 state will not or may not modify its order lacks or refuses to
7 exercise jurisdiction to modify its child support order pursuant to
8 its laws, a tribunal of this state may assume jurisdiction to modify
9 the child support order and bind all individuals subject to the
10 personal jurisdiction of the tribunal whether ~~or not~~ the consent to
11 modification of a child support order otherwise required of the
12 individual pursuant to Section 601-611 of ~~Title 43 of the Oklahoma~~
13 ~~Statutes~~ this title has been given or whether the individual seeking
14 modification is a resident of this state or of the foreign country
15 ~~or political subdivision.~~

16 B. An order issued by a tribunal of this state modifying a
17 foreign child support order pursuant to this section is the
18 controlling order.

19 SECTION 44. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 601-616 of Title 43, unless
21 there is created a duplication in numbering, reads as follows:

22 A party or support enforcement agency seeking to modify, or to
23 modify and enforce, a foreign child support order not under the
24 Convention may register that order in this state under Sections 601-

1 601 through 601-608 of Title 43 of the Oklahoma Statutes if the
2 order has not been registered. A petition for modification may be
3 filed at the same time as a request for registration, or at another
4 time. The petition must specify the grounds for modification.

5 SECTION 45. NEW LAW A new section of law not to be
6 codified in the Oklahoma Statutes reads as follows:

7 Sections 46 through 58 of this act shall constitute Article 7 of
8 the Uniform Interstate Family Support Act.

9 SECTION 46. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 601-701.1 of Title 43, unless
11 there is created a duplication in numbering, reads as follows:

12 In Article 7 of the Uniform Interstate Family Support Act:

13 1. "Application" means a request under the Convention by an
14 obligee or obligor, or on behalf of a child, made through a central
15 authority for assistance from another central authority;

16 2. "Central authority" means the entity designated by the
17 United States or a foreign country described in subparagraph d of
18 paragraph 5 of Section 601-101 of Title 43 of the Oklahoma Statutes
19 to perform the functions specified in the Convention;

20 3. "Convention support order" means a support order of a
21 tribunal of a foreign country described in subparagraph d of
22 paragraph 5 of Section 601-101 of Title 43 of the Oklahoma Statutes;

23

24

1 4. "Direct request" means a petition filed by an individual in
2 a tribunal of this state in a proceeding involving an obligee,
3 obligor, or child residing outside the United States;

4 5. "Foreign central authority" means the entity designated by a
5 foreign country described in subparagraph d of paragraph 5 of
6 Section 601-101 of Title 43 of the Oklahoma Statutes to perform the
7 functions specified in the Convention;

8 6. "Foreign support agreement":

9 a. means an agreement for support in a record that:

10 (1) is enforceable as a support order in the country
11 of origin,

12 (2) has been:

13 (a) formally drawn up or registered as an
14 authentic instrument by a foreign tribunal,
15 or

16 (b) authenticated by or concluded, registered,
17 or filed with a foreign tribunal, and

18 (3) may be reviewed and modified by a foreign
19 tribunal, and

20 b. includes a maintenance arrangement or authentic
21 instrument under the Convention; and

22 7. "United States central authority" means the Secretary of the
23 United States Department of Health and Human Services.

24

1 SECTION 47. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 601-702 of Title 43, unless
3 there is created a duplication in numbering, reads as follows:

4 This article applies only to a support proceeding under the
5 Convention. In such a proceeding, if a provision of this article is
6 inconsistent with Articles 1 through 6 of the Uniform Interstate
7 Family Support Act, this article controls.

8 SECTION 48. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 601-703 of Title 43, unless
10 there is created a duplication in numbering, reads as follows:

11 The Department of Human Services is recognized as the agency
12 designated by the United States central authority to perform
13 specific functions under the Convention.

14 SECTION 49. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 601-704 of Title 43, unless
16 there is created a duplication in numbering, reads as follows:

17 A. In a support proceeding under this article, the Department
18 of Human Services shall:

- 19 1. Transmit and receive applications; and
- 20 2. Initiate or facilitate the institution of a proceeding
21 regarding an application in a tribunal of this state.

22 B. The following support proceedings are available to an
23 obligee under the Convention:

24

- 1 1. Recognition or recognition and enforcement of a foreign
2 support order;
- 3 2. Enforcement of a support order issued or recognized in this
4 state;
- 5 3. Establishment of a support order if there is no existing
6 order, including, if necessary, determination of parentage of a
7 child;
- 8 4. Establishment of a support order if recognition of a foreign
9 support order is refused under paragraph 2, 4 or 9 of subsection B
10 of Section 53 of this act;
- 11 5. Modification of a support order of a tribunal of this state;
12 and
- 13 6. Modification of a support order of a tribunal of another
14 state or a foreign country.
- 15 C. The following support proceedings are available under the
16 Convention to an obligor against which there is an existing support
17 order:
 - 18 1. Recognition of an order suspending or limiting enforcement
19 of an existing support order of a tribunal of this state;
 - 20 2. Modification of a support order of a tribunal of this state;
21 and
 - 22 3. Modification of a support order of a tribunal of another
23 state or a foreign country.

24

1 D. A tribunal of this state may not require security, bond, or
2 deposit, however described, to guarantee the payment of costs and
3 expenses in proceedings under the Convention.

4 SECTION 50. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 601-705 of Title 43, unless
6 there is created a duplication in numbering, reads as follows:

7 A. A petitioner may file a direct request seeking establishment
8 or modification of a support order or determination of parentage of
9 a child. In the proceeding, the law of this state applies.

10 B. A petitioner may file a direct request seeking recognition
11 and enforcement of a support order or support agreement. In the
12 proceeding, Sections 51 through 58 of this act apply.

13 C. In a direct request for recognition and enforcement of a
14 Convention support order or foreign support agreement:

15 1. Security, bond, or deposit is not required to guarantee the
16 payment of costs and expenses; and

17 2. An obligee or obligor that in the issuing country has
18 benefited from free legal assistance is entitled to benefit, at
19 least to the same extent, from any free legal assistance provided
20 for by the law of this state under the same circumstances.

21 D. A petitioner filing a direct request is not entitled to
22 assistance from the Department of Human Services.

23 E. This article does not prevent the application of laws of
24 this state that provide simplified, more expeditious rules regarding

1 a direct request for recognition and enforcement of a foreign
2 support order or foreign support agreement.

3 SECTION 51. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 601-706 of Title 43, unless
5 there is created a duplication in numbering, reads as follows:

6 A. Except as otherwise provided in this article, a party who is
7 an individual or a support enforcement agency seeking recognition of
8 a Convention support order shall register the order in this state as
9 provided in Article 6 of the Uniform Interstate Family Support Act.

10 B. Notwithstanding Section 601-311 of Title 43 of the Oklahoma
11 Statutes and subsection A of Section 601-602 of Title 43 of the
12 Oklahoma Statutes, a request for registration of a Convention
13 support order must be accompanied by:

14 1. A complete text of the support order or an abstract or
15 extract of the support order drawn up by the issuing foreign
16 tribunal, which may be in the form recommended by the Hague
17 Conference on Private International Law;

18 2. A record stating that the support order is enforceable in
19 the issuing country;

20 3. If the respondent did not appear and was not represented in
21 the proceedings in the issuing country, a record attesting, as
22 appropriate, either that the respondent had proper notice of the
23 proceedings and an opportunity to be heard or that the respondent
24

1 had proper notice of the support order and an opportunity to be
2 heard in a challenge or appeal on fact or law before a tribunal;

3 4. A record showing the amount of arrears, if any, and the date
4 the amount was calculated;

5 5. A record showing a requirement for automatic adjustment of
6 the amount of support, if any, and the information necessary to make
7 the appropriate calculations; and

8 6. If necessary, a record showing the extent to which the
9 applicant received free legal assistance in the issuing country.

10 C. A request for registration of a Convention support order may
11 seek recognition and partial enforcement of the order.

12 D. A tribunal of this state may vacate the registration of a
13 Convention support order without the filing of a contest under
14 Section 52 of this act only if, acting on its own motion, the
15 tribunal finds that recognition and enforcement of the order would
16 be manifestly incompatible with public policy.

17 E. The tribunal shall promptly notify the parties of the
18 registration or the order vacating the registration of a Convention
19 support order.

20 SECTION 52. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 601-707 of Title 43, unless
22 there is created a duplication in numbering, reads as follows:

23

24

1 A. Except as otherwise provided in this article, Sections 601-
2 605 through 601-608 of Title 43 of the Oklahoma Statutes apply to a
3 contest of a registered Convention support order.

4 B. A party contesting a registered Convention support order
5 shall file a contest not later than thirty (30) days after notice of
6 the registration, but if the contesting party does not reside in the
7 United States, the contest must be filed not later than sixty (60)
8 days after notice of the registration.

9 C. If the nonregistering party fails to contest the registered
10 Convention support order by the time specified in subsection B of
11 this section, the order is enforceable.

12 D. A contest of a registered Convention support order may be
13 based only on grounds set forth in Section 53 of this act. The
14 contesting party bears the burden of proof.

15 E. In a contest of a registered Convention support order, a
16 tribunal of this state:

17 1. Is bound by the findings of fact on which the foreign
18 tribunal based its jurisdiction; and

19 2. May not review the merits of the order.

20 F. A tribunal of this state deciding a contest of a registered
21 Convention support order shall promptly notify the parties of its
22 decision.

23

24

1 G. A challenge or appeal, if any, does not stay the enforcement
2 of a Convention support order unless there are exceptional
3 circumstances.

4 SECTION 53. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 601-708 of Title 43, unless
6 there is created a duplication in numbering, reads as follows:

7 A. Except as otherwise provided in subsection B of this
8 section, a tribunal of this state shall recognize and enforce a
9 registered Convention support order.

10 B. The following grounds are the only grounds on which a
11 tribunal of this state may refuse recognition and enforcement of a
12 registered Convention support order:

13 1. Recognition and enforcement of the order is manifestly
14 incompatible with public policy, including the failure of the
15 issuing tribunal to observe minimum standards of due process, which
16 include notice and an opportunity to be heard;

17 2. The issuing tribunal lacked personal jurisdiction consistent
18 with Section 601-201 of Title 43 of the Oklahoma Statutes;

19 3. The order is not enforceable in the issuing country;

20 4. The order was obtained by fraud in connection with a matter
21 of procedure;

22 5. A record transmitted in accordance with Section 51 of this
23 act lacks authenticity or integrity;

24

1 6. A proceeding between the same parties and having the same
2 purpose is pending before a tribunal of this state and that
3 proceeding was the first to be filed;

4 7. The order is incompatible with a more recent support order
5 involving the same parties and having the same purpose if the more
6 recent support order is entitled to recognition and enforcement
7 under the Uniform Interstate Family Support Act in this state;

8 8. Payment, to the extent alleged arrears have been paid in
9 whole or in part;

10 9. In a case in which the respondent neither appeared nor was
11 represented in the proceeding in the issuing foreign country:

12 a. if the law of that country provides for prior notice
13 of proceedings, the respondent did not have proper
14 notice of the proceedings and an opportunity to be
15 heard, or

16 b. if the law of that country does not provide for prior
17 notice of the proceedings, the respondent did not have
18 proper notice of the order and an opportunity to be
19 heard in a challenge or appeal on fact or law before a
20 tribunal; or

21 10. The order was made in violation of Section 56 of this act.

22 C. If a tribunal of this state does not recognize a Convention
23 support order under paragraph 2, 4 or 9 of subsection B of this
24 section:

1 1. The tribunal may not dismiss the proceeding without allowing
2 a reasonable time for a party to request the establishment of a new
3 Convention support order; and

4 2. The Department of Human Services shall take all appropriate
5 measures to request a child support order for the obligee if the
6 application for recognition and enforcement was received under
7 Section 49 of this act.

8 SECTION 54. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 601-709 of Title 43, unless
10 there is created a duplication in numbering, reads as follows:

11 If a tribunal of this state does not recognize and enforce a
12 Convention support order in its entirety, it shall enforce any
13 severable part of the order. An application or direct request may
14 seek recognition and partial enforcement of a Convention support
15 order.

16 SECTION 55. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 601-710 of Title 43, unless
18 there is created a duplication in numbering, reads as follows:

19 A. Except as otherwise provided in subsections C and D of this
20 section, a tribunal of this state shall recognize and enforce a
21 foreign support agreement registered in this state.

22 B. An application or direct request for recognition and
23 enforcement of a foreign support agreement must be accompanied by:

24 1. A complete text of the foreign support agreement; and

1 2. A record stating that the foreign support agreement is
2 enforceable as an order of support in the issuing country.

3 C. A tribunal of this state may vacate the registration of a
4 foreign support agreement only if, acting on its own motion, the
5 tribunal finds that recognition and enforcement would be manifestly
6 incompatible with public policy.

7 D. In a contest of a foreign support agreement, a tribunal of
8 this state may refuse recognition and enforcement of the agreement
9 if it finds:

10 1. Recognition and enforcement of the agreement is manifestly
11 incompatible with public policy;

12 2. The agreement was obtained by fraud or falsification;

13 3. The agreement is incompatible with a support order involving
14 the same parties and having the same purpose in this state, another
15 state, or a foreign country if the support order is entitled to
16 recognition and enforcement under the Uniform Interstate Family
17 Support Act in this state; or

18 4. The record submitted under subsection B of this section
19 lacks authenticity or integrity.

20 E. A proceeding for recognition and enforcement of a foreign
21 support agreement must be suspended during the pendency of a
22 challenge to or appeal of the agreement before a tribunal of another
23 state or a foreign country.

24

1 SECTION 56. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 601-711 of Title 43, unless
3 there is created a duplication in numbering, reads as follows:

4 A. A tribunal of this state may not modify a Convention child
5 support order if the obligee remains a resident of the foreign
6 country where the support order was issued unless:

7 1. The obligee submits to the jurisdiction of a tribunal of
8 this state, either expressly or by defending on the merits of the
9 case without objecting to the jurisdiction at the first available
10 opportunity; or

11 2. The foreign tribunal lacks or refuses to exercise
12 jurisdiction to modify its support order or issue a new support
13 order.

14 B. If a tribunal of this state does not modify a Convention
15 child support order because the order is not recognized in this
16 state, subsection C of Section 53 of this act applies.

17 SECTION 57. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 601-712 of Title 43, unless
19 there is created a duplication in numbering, reads as follows:

20 Personal information gathered or transmitted under this article
21 may be used only for the purposes for which it was gathered or
22 transmitted.

23
24

1 SECTION 58. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 601-713 of Title 43, unless
3 there is created a duplication in numbering, reads as follows:

4 A record filed with a tribunal of this state under this article
5 must be in the original language and, if not in English, must be
6 accompanied by an English translation.

7 SECTION 59. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 601-902 of Title 43, unless
9 there is created a duplication in numbering, reads as follows:

10 The Uniform Interstate Family Support Act applies to proceedings
11 begun on or after January 1, 2012, to establish a support order or
12 determine parentage of a child or to register, recognize, enforce,
13 or modify a prior support order, determination, or agreement,
14 whenever issued or entered.

15 SECTION 60. REPEALER 43 O.S. 2001, Section 601-701, as
16 amended by Section 42, Chapter 367, O.S.L. 2004 (43 O.S. Supp. 2010,
17 Section 601-701), is hereby repealed.

18 SECTION 61. This act shall become effective January 1, 2012.

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