

1 **SENATE FLOOR VERSION**

2 February 19, 2013

3 SENATE BILL NO. 1040

By: Sykes of the Senate

4 and

5 Echols of the House

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7  
8 An Act relating to child support orders; amending 43  
9 O.S. 2011, Section 118.1, which relates to review of  
10 child support orders; clarifying certain  
11 jurisdiction; and providing an effective date.

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

13 SECTION 1. AMENDATORY 43 O.S. 2011, Section 118.1, is  
14 amended to read as follows:

15 Section 118.1. A. In all cases in which child support services  
16 are being provided under the state child support plan as provided in  
17 Section 237 of Title 56 of the Oklahoma Statutes, the Department  
18 shall conduct reviews of child support orders pursuant to rules  
19 promulgated by the Department. If the Department conducts a review  
20 and determines that the child support obligation is not in  
21 accordance with child support guidelines, the Department shall file  
22 a notice of review and intent to modify the child support order, and  
23 it shall be served upon the parties in accordance with law. The  
24 notice shall be set for hearing before a district or administrative

1 court. The district or administrative court shall review the child  
2 support obligation to determine its compliance with the child  
3 support guidelines and order modification if appropriate. An order  
4 of modification shall be effective upon the date the notice of  
5 review and intent to modify the child support order was filed.

6 B. In any proceeding to establish or modify a support order,  
7 each party shall completely disclose his or her financial status.

8 C. A proceeding under this section shall be the jurisdiction of  
9 either the district court or administrative court, and in no event  
10 shall there be concurrent jurisdiction over such proceeding.

11 SECTION 2. This act shall become effective November 1, 2013.

12 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY  
13 February 19, 2013 - DO PASS

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