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STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE BILL 1783 By: Williams

AS INTRODUCED

An Act relating to children; amending 10 O.S. 2021, Section 83, which relates to support of a child; providing that father may be ordered to pay for certain expenses; and providing an effective date.

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

SECTION 1. AMENDATORY 10 O.S. 2021, Section 83, is amended to read as follows:

Section 83. A. Both the mother of a child born out of wedlock and an individual who has been legally determined to be the father of a child by acknowledgment or by judicial or administrative order are each liable for the support and education of the child.

B. 1. An action to establish or enforce the obligation of support and education may be brought by either parent, or other custodial person, or the guardian of the child, by the public authority chargeable with the support of the child, or by the child.

1        2. An action to enforce this obligation of support may be  
2 brought within the time period specified by paragraph 8 of  
3 subsection A of Section 95 of Title 12 of the Oklahoma Statutes.

4        3. If the parental rights of a mother or father are terminated  
5 in an adoption proceeding, the obligation to support the child  
6 ceases for the parent whose rights were terminated. Child support  
7 arrearages are not affected by the adoption of the child.

8        4. The court may order the payments made to either parent,  
9 other custodial person, or the guardian of the child, or to some  
10 other person, corporation or agency to administer under the  
11 supervision of the court.

12        C. An individual who has been legally determined to be the  
13 father of a child pursuant to the Uniform Parentage Act shall be  
14 ordered to pay all or a portion of the costs of the birth and  
15 expenses related to the pregnancy and the reasonable expenses of  
16 providing for the child, provided that liability for support  
17 provided before the determination of paternity shall be imposed for  
18 two (2) years preceding the filing of the action. The mother shall  
19 be liable for the reasonable expenses of providing for the child to  
20 the same extent as the father and subject to the same limitation of  
21 liability for any time she does not have custody of the child prior  
22 to the establishment of paternity or an order for support.

23        As used in this subsection, "expenses related to the pregnancy"  
24 shall include:

1        1. Health insurance premiums while pregnant that are not paid  
2 by an employer or government program;

3        2. Prenatal care;

4        3. Housing, food, and travel costs to and from appointments  
5 related to the pregnancy;

6        4. Medical and nonmedical costs related to the pregnancy,  
7 including, but not limited to, any prescription or nonprescription  
8 medication or supplements necessary or beneficial to the pregnancy  
9 and the life and health of the pregnant mother or the baby; and

10       5. Any additional costs that the Department of Human Services  
11 or a court determines to be an expense related to pregnancy or  
12 childbirth.

13       D. The amount of child support and other support including  
14 amounts provided for in subsection C of this section shall be  
15 ordered and reviewed in accordance with the child support guidelines  
16 provided in Section 118 of Title 43 of the Oklahoma Statutes.  
17 Interest shall accrue on the support amounts pursuant to Section 114  
18 of Title 43 of the Oklahoma Statutes.

19       E. If both the mother and the father agree to change the  
20 surname of the child to that of the father, the court may order the  
21 name changed. Upon receipt of an order changing the child's  
22 surname, the State Department of Health, Division of Vital Records,  
23 shall correct its records and amend the birth certificate to reflect  
24 the name change.

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SECTION 2. This act shall become effective November 1, 2023.

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