

1 applicable necessary parties have not joined in the gestational
2 agreement in compliance with the Oklahoma Gestational Agreement Act:

- 3 1. The gestational carrier;
- 4 2. The gestational spouse, if applicable; and
- 5 3. Each intended parent of a child to be born pursuant to a
6 gestational carrier arrangement.

7 B. The following requirements apply to the necessary parties to
8 a gestational agreement, and failure to meet such requirements shall
9 prevent a court from validating the gestational agreement:

10 1. The gestational carrier, the gestational spouse, if
11 applicable, and each intended parent must be at least twenty-one
12 (21) years of age at the time the parties enter into the gestational
13 agreement;

14 2. No more than two intended parents may be party to a
15 gestational agreement;

16 3. If an intended parent is married, then that intended
17 parent's spouse must be a party to the gestational agreement as an
18 intended parent; and

19 4. If there are two intended parents that are party to a
20 gestational agreement, then they must be married to each other; ~~and.~~

21 ~~5.~~ C. No person may be a party to a gestational agreement under
22 this act if such person is in the United States illegally pursuant
23 to the immigration laws of the United States in effect at the time
24 of a gestational agreement.

1 D. No person may be an intended parent of a child to be born
2 pursuant to a gestational carrier agreement under this act if such
3 person has been convicted of a crime against a child, including, but
4 not limited to, child sexual abuse, child sexual exploitation, or
5 lewd molestation of a child, as defined in Section 843.5 of Title 21
6 of the Oklahoma Statutes.

7 SECTION 2. AMENDATORY 10 O.S. 2021, Section 7505-5.1, as
8 amended by Section 1, Chapter 59, O.S.L. 2024 (10 O.S. Supp. 2025,
9 Section 7505-5.1), is amended to read as follows:

10 Section 7505-5.1. A. Except as otherwise provided in this
11 section, only a person for whom a favorable written preplacement
12 home study has been prepared may accept custody of a minor for
13 purposes of adoption. A preplacement home study is favorable if it
14 contains a finding that the person is suited to be an adoptive
15 parent, either in general or for a particular minor, and it is
16 completed or brought current within twelve (12) months next
17 preceding a placement of a minor with the person for adoption.

18 B. A preplacement home study is not required if a parent or
19 guardian places a minor directly with a relative of the minor for
20 purposes of adoption, or if the minor has been residing with a birth
21 parent's spouse for not less than one (1) year as of the date the
22 petition for adoption is filed, but a home study of the relative or
23 stepparent is required during the pendency of a proceeding for
24 adoption.

1 C. A prospective adoptive parent shall not be approved for
2 placement of a child if the petitioners or any other person residing
3 in the home of the petitioners has been convicted of any of the
4 following felony offenses:

5 1. Within the five-year period preceding the date of the
6 petition, physical assault, domestic abuse, battery or a drug-
7 related offense;

8 2. Child abuse or neglect;

9 3. A crime against a child, including, but not limited to,
10 child sexual abuse material, child sexual exploitation, or lewd
11 molestation of a child, as defined in Section 843.5 of Title 21 of
12 the Oklahoma Statutes; and

13 4. A crime involving violence, including, but not limited to,
14 rape, sexual assault or homicide, but excluding those crimes
15 specified in paragraph 1 of this subsection.

16 D. Under no circumstances shall a child be placed in the
17 custody of an individual subject to the Oklahoma Sex Offenders
18 Registration Act or an individual who is married to or living with
19 an individual subject to the Oklahoma Sex Offenders Registration
20 Act.

21 SECTION 3. This act shall become effective November 1, 2026.

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23 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
24 OVERSIGHT, dated 02/24/2026 - DO PASS, As Coauthored.