

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 3845

By: Harris

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6 AS INTRODUCED

7 An Act relating to marriage and family; amending 43  
8 O.S. 2021, Section 139, which relates to legal rights  
9 to child support; allowing the discretionary  
10 revocation of driver permits and licenses; amending  
43 O.S. 2021, Section 139.1, which relates to  
penalties; allowing revocation of driving privileges  
for failure to pay child support; and providing an  
effective date.

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

14 SECTION 1. AMENDATORY 43 O.S. 2021, Section 139, is  
15 amended to read as follows:

16 Section 139. The Legislature finds and declares that child  
17 support is a basic legal right of the state's parents and children,  
18 that mothers and fathers have a legal obligation to provide  
19 financial support for their children and that child support payments  
20 can have a substantial impact on child poverty and state welfare  
21 expenditures. It is therefore the Legislature's intent to encourage  
22 payment of child support to decrease overall costs to the state's  
23 taxpayers while increasing the amount of financial support collected  
24 for the state's children by authorizing the district courts of this

1 state and the Department of Human Services to order the revocation,  
2 suspension, nonissuance or nonrenewal of any recreational license or  
3 permit, or permit including, but not limited to, a hunting and  
4 fishing license or other authorization issued pursuant to the  
5 Oklahoma Wildlife Conservation Code, Section 1-101 et seq. of Title  
6 29 of the Oklahoma Statutes, and certificates of title for vessels  
7 and motors and other licenses of registration issued pursuant to the  
8 Oklahoma Vessel and Motor Registration Act, Section 4001 et seq. of  
9 Title 63 of the Oklahoma Statutes, and the driving privilege of or  
10 to order probation for a parent who is in noncompliance with an  
11 order for support for at least ninety (90) days or failing, after  
12 receiving appropriate notice to comply with subpoenas or warrants  
13 relating to paternity or child support proceedings.

14 SECTION 2. AMENDATORY 43 O.S. 2021, Section 139.1, is  
15 amended to read as follows:

16 Section 139.1. A. As used in this section and Section 6-201.1  
17 of Title 47 of the Oklahoma Statutes:

18 1. "Licensing board" means any bureau, department, division,  
19 board, agency or commission of this state or of a municipality in  
20 this state that issues a license;

21 2. "Noncompliance with an order for support" means that the  
22 obligor has failed to make child support payments required by a  
23 child support order in an amount equal to the child support payable  
24 for at least ninety (90) days or has failed to make full payments

1 pursuant to a court-ordered payment plan for at least ninety (90)  
2 days or has failed to obtain or maintain health insurance coverage  
3 as required by an order for support for at least ninety (90) days or  
4 has failed, after receiving appropriate notice to comply with  
5 subpoenas or orders relating to paternity or child support  
6 proceedings or has failed to comply with an order to submit to  
7 genetic testing to determine paternity;

8       3. "Order for support" means any judgment or order for the  
9 support of dependent children or an order to submit to genetic  
10 testing to determine paternity issued by any court of this state or  
11 other state or any judgment or order issued in accordance with an  
12 administrative procedure established by state law that affords  
13 substantial due process and is subject to judicial review;

14       4. "License" means any recreational license or permit  
15 including, but not limited to, a hunting and fishing license or  
16 other authorization issued pursuant to the Oklahoma Wildlife  
17 Conservation Code, or certificates of title for vessels and motors  
18 and other licenses or registrations issued pursuant to the Oklahoma  
19 Vessel and Motor Registration Act, or a driver license or other  
20 permit issued pursuant to Title 47 of the Oklahoma Statutes;

21       5. "Obligor" means the person who is required to make payments  
22 or comply with other provisions of an order for support;

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1       6. "Oklahoma Child Support Services (OCSS)" means the state  
2 agency designated to administer a statewide plan for child support  
3 pursuant to Section 237 of Title 56 of the Oklahoma Statutes;

4       7. "Person entitled" means:

- 5       a. a person to whom a support debt or support obligation  
6                is owed,
- 7       b. the OCSS or a public agency of another state that has  
8                the right to receive current or accrued support  
9                payments or that is providing support enforcement  
10                services, or
- 11       c. a person designated in a support order or as otherwise  
12                specified by the court; and

13       8. "Payment plan" includes, but is not limited to, a plan  
14       approved by the court that provides sufficient security to ensure  
15       compliance with a support order and/or that incorporates voluntary  
16       or involuntary income assignment or a similar plan for periodic  
17       payment on an arrearage and, if applicable, current and future  
18       support.

19       B. 1. Except as otherwise provided by this subsection, the  
20       district courts of this state are hereby authorized to order the  
21       revocation, suspension, nonissuance or nonrenewal of a license or  
22       the placement of the obligor on probation who is in noncompliance  
23       with an order for support.

1       2. Pursuant to Section 6201.1 of Title 47 of the Oklahoma  
2       statutes, the district or administrative courts of this state are  
3       hereby authorized to order the revocation or suspension of a driver  
4       license of an obligor who is in noncompliance with an order of  
5       support.

6       3. The remedy under this section is in addition to any other  
7       enforcement remedy available to the court.

8       C. 1. At any hearing involving the support of a child, if the  
9       district court finds evidence presented at the hearing that an  
10      obligor is in noncompliance with an order for support and the  
11      obligor is licensed by any licensing board, the court, in addition  
12      to any other enforcement action available, may suspend or revoke the  
13      license of the obligor who is in noncompliance with the order of  
14      support or place the obligor on probation pursuant to paragraph 2 of  
15      this subsection.

16       2. a. To be placed on probation, the obligor shall agree to  
17       a payment plan to:

18           (1) make all future child support payments as  
19           required by the current order during the period  
20           of probation, and

21           (2) pay the full amount of the arrearage:  
22              (a) by lump sum by a date certain, if the court  
23              determines the obligor has the ability, or

(b) by making monthly payments in addition to the monthly child support amount pursuant to Section 137 of this title.

b. The payments required to be made pursuant to this section shall continue until the child support arrearage and interest which was the subject of the license revocation action have been paid in full.

3. If the court orders probation, the appropriate licensing board shall not be notified and no action is required of that board.

The obligor shall be allowed to operate a motor vehicle.

4. Probation shall be conditioned upon full compliance with the order. If the court grants probation, the probationary period shall not exceed three (3) years.

5. If the obligor is placed on probation, the obligee or OCSS may request a hearing at any time to review the status of the obligor's compliance with the payment plan and to request immediate suspension or revocation of the obligor's license. The obligor shall be served with notice of the hearing by regular mail to the obligor's address of record pursuant to Section 112A of this title.

6. If, by the completion of time allotted for the probationary period, the obligor has failed to fully comply with the terms of probation, the licenses of the obligor shall be automatically suspended or revoked without further hearing. If the licenses of the obligor are suspended or revoked, the obligor may thereafter

1 apply for reinstatement in compliance with subsection D or E of this  
2 section.

3 D. When all support due is paid in full and the obligor has  
4 complied with all other provisions of the order for support, the  
5 obligor, the obligee or OCSS may file a motion with the court for  
6 reinstatement of the obligor's licenses or termination of probation  
7 and the motion shall be set for hearing. If the court finds the  
8 obligor has paid all support due in full and has complied with all  
9 other provisions of the order for support, the court shall reinstate  
10 the obligor's licenses or terminate the probation.

11 E. 1. An obligor whose licenses have been suspended or revoked  
12 may file a motion with the court for reinstatement of the licenses  
13 of the obligor prior to payment in full of all support due and the  
14 motion shall be set for hearing.

15 2. The court may reinstate the licenses of the obligor if the  
16 obligor has:

17 a. paid the current child support and the monthly  
18 arrearage payments each month for the current month  
19 and two (2) months immediately preceding, or paid an  
20 amount equivalent to three (3) months of child support  
21 and arrearage payments which satisfies the current  
22 child support and monthly arrearage payments for the  
23 current month and two (2) months immediately  
24 preceding,

1                   b. disclosed all information regarding health insurance  
2                   availability and obtained and maintained health  
3                   insurance coverage required by an order for support,  
4                   c. complied with all subpoenas and orders relating to  
5                   paternity or child support proceedings,  
6                   d. complied with all orders to submit to genetic testing  
7                   to determine paternity, and  
8                   e. disclosed all employment and address information.

9                   3. If the court terminates the order of suspension, revocation,

10                  nonissuance or nonrenewal, it shall place the obligor on probation,  
11                  conditioned upon compliance with any payment plan and the provisions  
12                  of the order for support.

13                  4. If the obligor fails to comply with the terms of probation,

14                  the court may refuse to reinstate the licenses and driving  
15                  privileges of the obligor unless the obligor makes additional  
16                  payments in an amount determined by the court to be sufficient to  
17                  ensure future compliance, and the obligor complies with the other  
18                  terms set by the court.

19                  F. The obligor shall serve on the custodian or the state a copy

20                  of the motion for reinstatement of the licenses of the obligor and  
21                  notice of hearing pursuant to Section 2005 of Title 12 of the  
22                  Oklahoma Statutes, or if there is an address of record, by regular  
23                  mail to the address of record on file with the central case registry  
24                  pursuant to Section 112A of this title. When child support services

1 | are being provided pursuant to Section 237 of Title 56 of the  
2 | Oklahoma Statutes, the obligor shall serve a copy of the motion for  
3 | reinstatement of the licenses of the obligor on OCSS.

4 | G. If the court orders termination of the order of suspension  
5 | or revocation, the obligor shall send a copy of the order  
6 | reinstating the licenses of the obligor to the licensing board, the  
7 | custodian and OCSS when child support services are being provided  
8 | pursuant to Section 237 of Title 56 of the Oklahoma Statutes.

9 | H. Entry of this order does not limit the ability of the court  
10 | to issue a new order requiring the licensing board to revoke or  
11 | suspend the license of the same obligor in the event of another  
12 | delinquency or failure to comply.

13 | I. Upon receipt of a court order to suspend or revoke the  
14 | license of an obligor, the licensing board shall comply with the  
15 | order by:

16 | 1. Determining if the licensing board has issued a license to  
17 | the individual whose name appears on the order for support;

18 | 2. Notifying the obligor of the suspension or revocation;

19 | 3. Demanding surrender of the license, if required;

20 | 4. Entering the suspension or revocation of the license on the  
21 | appropriate records; and

22 | 5. Reporting the suspension or revocation of the license as  
23 | appropriate.

1       J. Upon receipt of a court order to not issue or not renew the  
2 license of an obligor, the licensing board shall implement by:

3           1. Determining if the licensing board has received an  
4 application for issuance or renewal of a license from the individual  
5 whose name appears on the order of support;

6           2. Notifying the obligor of the nonissuance or nonrenewal; and

7           3. Entering the nonissuance or nonrenewal of the license as  
8 appropriate.

9       K. An order, issued by the court, directing the licensing board  
10 to suspend, revoke, not issue or not renew the license of the  
11 obligor shall be processed and implemented by the licensing board  
12 without any additional review or hearing and shall continue until  
13 the court or appellate court advises the licensing board by order  
14 that the suspension, revocation, nonissuance or nonrenewal is  
15 terminated.

16       L. The licensing board has no jurisdiction to modify, remand,  
17 reverse, vacate, or stay the order of the court for the suspension,  
18 revocation, nonissuance or nonrenewal of a license.

19       M. In the event of suspension, revocation, nonissuance or  
20 nonrenewal of a license, any funds paid by the obligor to the  
21 licensing board for costs related to issuance, renewal, or  
22 maintenance of a license shall not be refunded to the obligor.

23       N. A licensing board may charge the obligor a fee to cover the  
24 administrative costs incurred by the licensing board to administer

1 the provisions of this section. Fees collected pursuant to this  
2 section by a licensing board which has an agency revolving fund  
3 shall be deposited in the agency revolving fund for the use by the  
4 licensing board to pay the costs of administering this section.  
5 Otherwise, the administrative costs shall be deposited in the  
6 General Revenue Fund of the state.

7 O. Each licensing board shall promulgate rules necessary for  
8 the implementation and administration of this section.

9 P. The licensing board is exempt from liability to the obligor  
10 for activities conducted in compliance with Section 139 et seq. of  
11 this title.

12 Q. The provisions of this section may be used to revoke or  
13 suspend the driving privileges of the custodian of a child who fails  
14 to comply with an order to submit to genetic testing to determine  
15 paternity.

16 R. A final order entered pursuant to this section may be  
17 appealed to the Supreme Court of Oklahoma pursuant to Section 990A  
18 of Title 12 of the Oklahoma Statutes.

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