

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

POLICY COMMITTEE

RECOMMENDATION

FOR

HOUSE BILL NO. 3845

By: Harris

POLICY COMMITTEE RECOMMENDATION

An Act relating to marriage and family; amending 43 O.S. 2021, Section 139, which relates to legal rights to child support; allowing the discretionary 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; directing Service Oklahoma to revoke or suspend licenses under certain conditions; providing for codification; and providing an effective date.

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

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

Section 139. The Legislature finds and declares that child support is a basic legal right of the state's parents and children, that mothers and fathers have a legal obligation to provide financial support for their children and that child support payments can have a substantial impact on child poverty and state welfare expenditures. It is therefore the Legislature's intent to encourage payment of child support to decrease overall costs to the state's

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

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

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

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

23 2. "Noncompliance with an order for support" means that the
24 obligor has failed to make child support payments required by a

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

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

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

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

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

5 7. "Person entitled" means:

6 a. a person to whom a support debt or support obligation
7 is owed,

8 b. the ~~OCSS~~ CSS or a public agency of another state that
9 has the right to receive current or accrued support
10 payments or that is providing support enforcement
11 services, or

12 c. a person designated in a support order or as otherwise
13 specified by the court; and

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

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

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

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

7 C. 1. At any hearing involving the support of a child, after
8 giving notice to the obligor that licenses may be suspended or
9 revoked, if the district court finds evidence presented at the
10 hearing that an obligor is in noncompliance with an order for
11 support and the obligor is licensed by any licensing board, the
12 court, in addition to any other enforcement action available, may
13 suspend or revoke the license of the obligor who is in noncompliance
14 with the order of support or place the obligor on probation pursuant
15 to paragraph 2 of 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
24

(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.

4. If the obligor is placed on probation, the obligor shall be allowed to operate a motor vehicle.

5. Probation shall be conditioned upon full compliance with the order. If the court grants probation, the probationary period shall not exceed three (3) years from the date of entry of the initial order of revocation or probation.

~~5. 6.~~ If the obligor is ~~placed on probation~~ not in compliance with the terms of probation, the obligee or ~~OCSS~~ CSS may ~~request a hearing~~ file a notice at any time ~~to review the status of the obligor's compliance with the payment plan and to request~~ with the court for 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.

1 ~~6. If, by the completion of time allotted for the probationary~~
2 ~~period, the obligor has failed to fully comply with the terms of~~
3 ~~probation, the licenses of the obligor shall be automatically~~
4 ~~suspended or revoked without further hearing. If the licenses of~~
5 ~~the obligor are suspended or revoked, the obligor may thereafter~~
6 ~~apply for reinstatement in compliance with subsection D or E of this~~
7 ~~section.~~

8 ~~D. When all support due is paid in full and the obligor has~~
9 ~~complied with all other provisions of the order for support, the~~
10 ~~obligor, the obligee or OCSS may file a motion with the court for~~
11 ~~reinstatement of the obligor's licenses or termination of probation~~
12 ~~and the motion shall be set for hearing. If the court finds the~~
13 ~~obligor has paid all support due in full and has complied with all~~
14 ~~other provisions of the order for support, the court shall reinstate~~
15 ~~the obligor's licenses or terminate the probation~~ The obligor may
16 request a hearing within thirty (30) days to show cause that the
17 licenses of the obligor should not be suspended or revoked. If the
18 obligor does not request a hearing within such time period, the
19 court shall order immediate suspension or revocation of the
20 obligor's licenses. If the licenses of the obligor are suspended or
21 revoked, the obligor may subsequently apply for reinstatement
22 pursuant to subsection D or E of this section.

23 ~~E. D. 1. An obligor whose~~ When an obligor's licenses have been
24 suspended or revoked, the obligor, the obligee, or CSS may file a

1 ~~motion with request the court for reinstatement of to reinstate the~~
2 ~~licenses of the obligor prior to payment in full of all support due~~
3 ~~and the motion shall be set for hearing.~~

4 2. The court ~~may~~ shall reinstate the licenses of the obligor if
5 the obligor has:

- 6 a. paid all support due in full or paid the current child
7 support and the monthly arrearage payments each month
8 for the current month and two (2) months immediately
9 preceding, or paid an amount equivalent to three (3)
10 months of child support and arrearage payments which
11 satisfies the current child support and monthly
12 arrearage payments for the current month and two (2)
13 months immediately preceding,
- 14 b. disclosed all information regarding health insurance
15 availability and obtained and maintained health
16 insurance coverage required by an order for support,
- 17 c. complied with all subpoenas and orders relating to
18 paternity or child support proceedings,
- 19 d. complied with all orders to submit to genetic testing
20 to determine paternity, and
- 21 e. disclosed all employment and address information.

22 3. If the obligor has not met the conditions in paragraph 2 of
23 this subsection, the court may reinstate licenses upon a showing
24 that reinstatement of licenses would increase the likelihood of the

1 obligor paying consistent, reliable child support or for good cause
2 shown. If the court terminates the order of suspension, revocation,
3 nonissuance or nonrenewal, it ~~shall~~ may place the obligor on
4 probation, ~~conditioned upon compliance with any payment plan and the~~
5 ~~provisions of the order for support.~~

6 ~~4. If the obligor fails to comply with the terms of probation,~~
7 ~~the court may refuse to reinstate the licenses of the obligor unless~~
8 ~~the obligor makes additional payments in an amount determined by the~~
9 ~~court to be sufficient to ensure future compliance, and the obligor~~
10 ~~complies with the other terms set by the court.~~

11 ~~F. The obligor shall serve on the custodian or the state a copy~~
12 ~~of the motion for reinstatement of the licenses of the obligor and~~
13 ~~notice of hearing pursuant to Section 2005 of Title 12 of the~~
14 ~~Oklahoma Statutes, or if there is an address of record, by regular~~
15 ~~mail to the address of record on file with the central case registry~~
16 ~~pursuant to Section 112A of this title. When child support services~~
17 ~~are being provided pursuant to Section 237 of Title 56 of the~~
18 ~~Oklahoma Statutes, the obligor shall serve a copy of the motion for~~
19 ~~reinstatement of the licenses of the obligor on OCSS Probation~~
20 ~~shall not exceed three (3) years from the date of entry of the~~
21 ~~initial order of revocation or probation.~~

22 ~~G. E.~~ If the court orders termination of the order of
23 suspension or revocation, the obligor shall send a copy of the order
24 reinstating the licenses of the obligor to the licensing board, the

1 custodian and ~~OCS~~ CSS when child support services are being
2 provided pursuant to Section 237 of Title 56 of the Oklahoma
3 Statutes.

4 ~~H.~~ F. Entry of this order does not limit the ability of the
5 court to issue a new order requiring the licensing board to revoke
6 or suspend the license of the same obligor in the event of another
7 delinquency or failure to comply.

8 ~~F.~~ G. Upon receipt of a court order to suspend or revoke the
9 license of an obligor, the licensing board shall comply with the
10 order by:

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

13 2. Notifying the obligor of the suspension or revocation;

14 3. Demanding surrender of the license, if required;

15 4. Entering the suspension or revocation of the license on the
16 appropriate records; and

17 5. Reporting the suspension or revocation of the license as
18 appropriate.

19 ~~F.~~ H. Upon receipt of a court order to not issue or not renew
20 the license of an obligor, the licensing board shall implement by:

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

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

1 3. Entering the nonissuance or nonrenewal of the license as
2 appropriate.

3 ~~K.~~ I. An order, issued by the court, directing the licensing
4 board to suspend, revoke, not issue or not renew the license of the
5 obligor shall be processed and implemented by the licensing board
6 without any additional review or hearing and shall continue until
7 the court or appellate court advises the licensing board by order
8 that the suspension, revocation, nonissuance or nonrenewal is
9 terminated.

10 ~~L.~~ J. The licensing board has no jurisdiction to modify,
11 remand, reverse, vacate, or stay the order of the court for the
12 suspension, revocation, nonissuance or nonrenewal of a license.

13 ~~M.~~ K. In the event of suspension, revocation, nonissuance or
14 nonrenewal of a license, any funds paid by the obligor to the
15 licensing board for costs related to issuance, renewal, or
16 maintenance of a license shall not be refunded to the obligor.

17 ~~N.~~ L. A licensing board may charge the obligor a fee to cover
18 the administrative costs incurred by the licensing board to
19 administer the provisions of this section. Fees collected pursuant
20 to this section by a licensing board which has an agency revolving
21 fund shall be deposited in the agency revolving fund for the use by
22 the licensing board to pay the costs of administering this section.
23 Otherwise, the administrative costs shall be deposited in the
24 General Revenue Fund of the state.

1 ~~Q.~~ M. Each licensing board shall promulgate rules necessary for
2 the implementation and administration of this section.

3 ~~P.~~ N. The licensing board is exempt from liability to the
4 obligor for activities conducted in compliance with Section 139 et
5 seq. of this title.

6 ~~Q.~~ O. The provisions of this section may be used to revoke or
7 suspend the driving privileges of the custodian of a child who fails
8 to comply with an order to submit to genetic testing to determine
9 paternity.

10 P. A final order entered pursuant to this section may be
11 appealed to the Supreme Court of Oklahoma pursuant to Section 990A
12 of Title 12 of the Oklahoma Statutes.

13 SECTION 3. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 6-201.1A of Title 47, unless
15 there is created a duplication in numbering, reads as follows:

16 A. 1. Whenever a court or the Department of Human Services
17 Child Support Office of Administrative Hearings, hereinafter
18 referred to as "OAH", finds that a person is not in compliance with
19 an order of child support, the court or the OAH, as applicable,
20 shall require the person to surrender to it the driver license held
21 by the person and shall forward to Service Oklahoma an order to
22 revoke the driving privilege of the person, together with any driver
23 license surrendered to the court or OAH.

1 2. Upon receipt of an order from a court or from the OAH, that
2 a person obligated to pay child support and who owns or operates a
3 motor vehicle is not in compliance with an order for support,
4 Service Oklahoma shall revoke the person's driving privilege. Any
5 order of the court or the OAH, as applicable, to revoke a person's
6 driving privilege for noncompliance with an order of support shall
7 be upon a Notification of Revocation form prescribed by Service
8 Oklahoma. Service Oklahoma shall prepare and distribute the
9 Notification form to be used by the courts and the OAH.

10 3. In addition to Service Oklahoma, the court or the OAH, as
11 applicable, shall send a copy of the Notification of Revocation to
12 the person obligated to pay child support by first class, postage
13 prepaid mail. The Notification shall:

- 14 a. include the name, address, date of birth, physical
15 description and, if known, the driver license number
16 of the person,
- 17 b. provide notification of the requirement of Service
18 Oklahoma to revoke the driving privilege of the person
19 required to pay child support,
- 20 c. provide notification of the requirement of Service
21 Oklahoma to not reinstate the person's driving
22 privilege until:
 - 23 (1) the court or the OAH issues a release that states
24 such person is in compliance with the order of

1 support or until a court or the OAH otherwise
2 authorizes reinstatement of the person's driving
3 privilege, and

4 (2) the person has paid to Service Oklahoma the fees
5 required by Section 6-212 of Title 47 of the
6 Oklahoma Statutes and has met all other statutory
7 requirements for reinstatement of the person's
8 driving privilege,

9 d. specify the reason and statutory grounds for the
10 revocation and the effective date of the revocation,

11 e. inform the person that in order to apply for
12 reinstatement of the person's driving privilege, the
13 person must obtain a release from the OAH or the
14 court, as applicable, and

15 f. inform the person that the person may file a petition
16 for judicial review of the Notification of Revocation
17 in district court within thirty (30) days after
18 receipt of the Notification.

19 D. Upon receipt of the Notification of Revocation from a court
20 or the OAH, as applicable, that a person obligated to pay child
21 support is not in compliance with an order of support, Service
22 Oklahoma shall, in addition to any other authority to withdraw
23 driving privileges, revoke the driving privilege of the person named
24

1 in the notification provided in subsection C of this section without
2 hearing.

3 E. 1. The court or the OAH shall furnish a release to Service
4 Oklahoma whenever a person, whose driving privilege has been revoked
5 pursuant to this section, has established and is complying with a
6 payment schedule, as determined by the court or the OAH. Upon
7 receipt of such release, Service Oklahoma shall reinstate the
8 driving privileges of the person, if the person is otherwise
9 eligible, pursuant to Section 6-212 of Title 47 of the Oklahoma
10 Statutes;

11 2. If the person defaults on the payment schedule, the court or
12 OAH may resubmit the notice of noncompliance as provided for in this
13 section. The court or the OAH shall furnish a release to Service
14 Oklahoma whenever the person is once again complying with the
15 payment schedule, as determined by the court or the OAH. Upon
16 receipt of such release, Service Oklahoma shall reinstate the
17 driving privileges of the person, if the person is otherwise
18 eligible, pursuant to Section 6-212 of Title 47 of the Oklahoma
19 Statutes; and

20 3. A person whose driving privilege has been revoked for
21 noncompliance due to defaulting on a payment schedule pursuant to
22 paragraph 2 of this subsection shall be required to meet all
23 statutory requirements for reinstatement of driving privileges
24 including, but not limited to, the payment of processing and

1 reinstatement fees, as provided for in Section 6-212 of Title 47 of
2 the Oklahoma Statutes.

3 F. If the court or the OAH, as applicable, is unable to secure
4 the driver license held by the person found to be in noncompliance
5 with an order of support, Service Oklahoma, upon revoking the
6 driving privilege of the person, shall require that the driver
7 license held by the person be surrendered to Service Oklahoma. Upon
8 reinstatement of the person's driving privileges as provided for by
9 law, the person's valid and lawful driver license shall be returned
10 to the person by Service Oklahoma if the person is otherwise
11 eligible.

12 SECTION 4. This act shall become effective November 1, 2026.

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