

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
11 43 O.S. 2021, Section 139.1, which relates to
12 penalties; allowing revocation of driving privileges
13 for failure to pay child support; and providing an
14 effective date.

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

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

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