

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 HOUSE BILL 1151

 By: Osburn

7 AS INTRODUCED

8 An Act relating to child custody; amending 43 O.S.
9 2011, Section 110.1, which relates to shared
10 parenting; permitting court to consider ability of
11 parents to communicate about children; allowing court
12 to consider evidence of domestic violence, stalking
13 or harassment; requiring findings of fact and
14 conclusions of law if equal access to children is not
15 granted; and providing an effective date.

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

15 SECTION 1. AMENDATORY 43 O.S. 2011, Section 110.1, is
16 amended to read as follows:

17 Section 110.1 It is the policy of this state to assure that
18 minor children have frequent and continuing contact with parents who
19 have shown the ability to act in the best interests of their
20 children and to encourage parents to share in the rights and
21 responsibilities of rearing their children after the parents have
22 separated or dissolved their marriage, ~~provided that.~~ The court may
23 consider evidence of the ability of the parents agree to communicate
24 and cooperate and that on issues related to their minor children, as

1 well as evidence of domestic violence, stalking, or harassing
2 ~~behaviors~~ harassment as defined in Section 109 of this title ~~are not~~
3 ~~present in the parental relationship.~~ To effectuate this policy, if
4 requested by a parent, the court may provide substantially equal
5 access to the minor children to both parents at a temporary order or
6 final hearing, unless the court finds that shared parenting would be
7 detrimental to the child. The court shall issue findings of fact
8 and conclusions of law to support its decision if equal access and
9 custody is not provided to both parents after a final hearing on the
10 merits.

11 SECTION 2. This act shall become effective November 1, 2021.

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13 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CIVIL, dated
14 02/10/2021 - DO PASS.
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