

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1451

By: Provenzano

4  
5  
6 AS INTRODUCED

7 An Act relating to marriage and family; amending 43  
8 O.S. 2021, Section 114, which relates to interest on  
9 past-due child support payments; modifying interest  
10 rate; providing that interest shall be included as  
11 principal debt; providing that certain monies shall  
12 not be considered past-due child support payments;  
13 and providing an effective date.

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

15 SECTION 1. AMENDATORY 43 O.S. 2021, Section 114, is  
16 amended to read as follows:

17 Section 114. A. Court-ordered past-due child support payments,  
18 court-ordered payments of suit monies and judgments for support  
19 pursuant to Section 83 of Title 10 of the Oklahoma Statutes and  
20 Sections 238.1 and 238.6B of Title 56 of the Oklahoma Statutes shall  
21 draw interest at the rate of ~~two percent (2%)~~ ten percent (10%) per  
22 year. Past-due child support payments accruing after the  
23 establishment of the current support order shall draw interest from  
24 the date they become delinquent. ~~Lump-sum judgments pursuant to~~

1 ~~Titles 10 and 56 of the Oklahoma Statutes for support owed prior to~~  
2 ~~the establishment of current support shall draw interest from the~~  
3 ~~first day of the month after the lump sum judgment is entered.~~ The  
4 interest shall be collected in the same manner as the payments upon  
5 which the interest accrues.

6 B. Interest shall be included as principal debt when it  
7 accrues.

8 C. Child support arrearage determined pursuant to subsection C  
9 of Section 83 of Title 10 of the Oklahoma Statutes or the portion of  
10 a modification retroactive to the filing of a motion to modify  
11 pursuant to paragraph 3 of subsection A of Section 118I of Title 43  
12 of the Oklahoma Statutes shall not be considered to be past-due  
13 child support payments within the meaning of this section if there  
14 is a court-ordered repayment schedule and if the schedule is  
15 complied with. The district court may, in its discretion, impose  
16 interest on arrearages pursuant to this section.

17 D. Interest on past-due child support payments pursuant to this  
18 section that accrued prior to the effective date of this act shall  
19 be converted to principal on the effective date of this act.

20 SECTION 2. This act shall become effective November 1, 2023.

21

22 59-1-6105 CMA 01/12/23

23

24