

**BILL NO. \_\_\_\_\_**

**BY: REAL Father Reform**

**An Act** relating to marriage and family; amending Title 43 of the Oklahoma Statutes, Sections 109 and related provisions; establishing a rebuttable presumption of equal parenting time; prohibiting sex-based bias in custody determinations; providing for equal rights of responsible parents; defining and criminalizing parental alienation; providing penalties under a three-strikes system; and requiring judicial training.

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

**SECTION 1. AMENDATORY 43 O.S. §109.**

A. In any proceeding for custody or visitation, there is hereby established a rebuttable presumption that joint legal custody and substantially equal (50/50) physical parenting time is in the best interests of the child.

B. The presumption established under subsection A of this section may be rebutted solely by clear and convincing evidence demonstrating that equal parenting time would endanger the child's physical, emotional, or mental well-being.

C. In making determinations pursuant to this section, the court shall not consider the sex or gender of either parent. Decisions shall be based exclusively upon the demonstrated ability of each parent to provide for the best interests of the child.

**SECTION 2. NEW LAW – 43 O.S. §109.3.**

A. For purposes of this act, a "responsible parent" is defined as a parent who is willing and able to provide care, support, and guidance for the child.

B. Responsible parents shall be accorded equal rights and responsibilities regarding decisions concerning the child's education, health care, religion, and extracurricular activities, unless the court determines by clear and convincing evidence that limitation of such rights is necessary to protect the best interests of the child.

**SECTION 3. NEW LAW – 43 O.S. §109.4.**

A. "Parental alienation" is defined as intentional conduct by one parent designed to interfere with, hinder, or damage the relationship between a child and the other parent, including but

not limited to:

1. Willful denial of court-ordered visitation or parenting time;
2. False, derogatory, or misleading statements made to the child about the other parent;
3. Persistent refusal to comply with custody or visitation orders.

B. Penalties for parental alienation shall be applied as follows:

1. **First Offense (Strike One):** Classified as a *Class C Misdemeanor*, punishable by a fine not exceeding **Five Hundred Dollars (\$500.00)**, community service, mandatory counseling, or other court-approved sanctions.

2. **Second Offense (Strike Two):** Classified as a *Class B Misdemeanor*, punishable by imprisonment for up to **One Hundred (100) days** and fines not exceeding **Two Thousand Dollars (\$2,000.00)**.

3. **Third Offense (Strike Three):** Classified as a *Felony*, punishable by imprisonment for up to **Three (3) years** and fines not exceeding **Five Thousand Dollars (\$5,000.00)**.

C. In addition to the penalties set forth in subsection B, the court may order remedial measures, including make-up visitation, modification of custody or visitation orders, or other equitable remedies deemed necessary to restore and protect the parent-child relationship.

#### **SECTION 4. Judicial Training.**

A. All judges presiding over family law matters shall receive training on equal parenting standards and parental alienation.

B. The Administrative Office of the Courts shall incorporate such training into continuing judicial education requirements.