

# An Act

ENROLLED HOUSE  
BILL NO. 2483

By: Ownbey of the House

and

Simpson and Sharp of the  
Senate

An Act relating to children; amending 10A O.S. 2011, Section 1-4-502, which relates to termination of parental rights; waiving right to jury trial if party fails to appear in person after notice and without good cause; requiring nonjury trial; providing exception; and providing an effective date.

SUBJECT: Termination of parental rights

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

SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-4-502, is amended to read as follows:

Section 1-4-502. A. A parent entitled to service of summons, the state or a child shall have the right to demand a trial by jury on the sole issue of termination of parental rights only in the following circumstances:

1. When the initial petition to determine if a child is deprived also contains a request for termination of parental rights in which case the court shall determine if the child should be adjudicated deprived and, if so, the jury shall determine if parental rights should be terminated; or

2. When, following a hearing in which the child is adjudicated deprived, a request for termination of parental rights is filed by the state or the child.

B. The demand for a jury trial shall be granted unless waived, or the court on its own motion may call a jury to try any termination of parental rights case. Such jury shall consist of six (6) persons. A party who requests a jury trial and fails to appear in person for such trial, after proper notice and without good cause, may be deemed by the court to have waived the right to ~~be present at~~ such jury trial, and the termination of parental rights shall be by nonjury trial unless another party demands a jury trial or the court determines on its own motion to try the case to a jury.

SECTION 2. This act shall become effective November 1, 2016.

Passed the House of Representatives the 28th day of April, 2016.

Lee P. Jones  
Presiding Officer of the House  
of Representatives

Passed the Senate the 21st day of April, 2016.

Eddie Field  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 2nd

day of May, 20 16, at 3:40 o'clock P M.

By: Audrey Redwell

Approved by the Governor of the State of Oklahoma this 5th

day of May, 20 16, at 2:53 o'clock P M.

Mary Fallin  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 5th

day of May, 20 16, at 3:38 o'clock P M.

By: Chris Benz