

ENGROSSED HOUSE
BILL NO. 1037

BY: BENSON of the HOUSE

and

SMITH of the SENATE

AN ACT RELATING TO CIVIL PROCEDURE; SPECIFYING COSTS
THAT JUDGES ARE REQUIRED TO AWARD; REPEALING 12
O.S. 1981, SECTIONS 933 AND 934, WHICH RELATE TO
TAXATION OF CERTAIN COURT COSTS; PROVIDING FOR
CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 942 of Title 12, unless there is
created a duplication in numbering, reads as follows:

A judge of any court of this state may award the following as
costs:

1. Any fees assessed by the court clerk or the clerk of the
appellate court;

2. Reasonable expenses for the giving of notice, including
expenses for service of summons and other judicial process and
expenses for publication;

3. Statutory witness fees and reasonable expenses for service
of subpoenas;

4. Costs of copying papers, limited to ten cents (\$0.10) per
page or the amount authorized by law to be charged for medical
records, necessarily used at trial;

5. Transcripts of the trial or another proceeding that the court determines are necessary to resolve the case; and

6. Reasonable expenses for taking and transcribing deposition testimony, but not to exceed the fee per page authorized by Section 106.4 of Title 20 of the Oklahoma Statutes for trial transcripts, for furnishing copies to the witness and opposing counsel, and for recording deposition testimony on videotape, but not to exceed One Hundred Dollars (\$100.00) per two-hour videotape, unless the court determines that a particular deposition was neither reasonable nor necessary.

Unless provided otherwise by law, no other items shall be allowed as costs.

SECTION 2. REPEALER 12 O.S. 1981, Sections 933 and 934, are hereby repealed.

SECTION 3. This act shall become effective September 1, 1991.

Passed the House of Representatives the 26th day of February, 1991.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1991.

President of the Senate