

ENGROSSED HOUSE
BILL NO. 1202

BY: PAULK

AN ACT RELATING TO FEES; AMENDING 28 O.S. 1981,
SECTION 152.3, WHICH RELATES TO POUNDAGE FEES;
PROVIDING FOR PAYMENT OF CERTAIN FEES AND COSTS;
PROVIDING EXCEPTION; AND PROVIDING AN EFFECTIVE
DATE.

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

SECTION 1. AMENDATORY 28 O.S. 1981, Section 152.3, is amended to read as follows:

Section 152.3 Every condemnor, be it the state, a political subdivision thereof, or a private entity, shall be liable for poundage fee and court costs in a condemnation proceeding; provided, however, that in an inverse condemnation proceeding the condemnor shall not be liable for the poundage fee and court costs incurred by the condemnee if the court or a jury finds there has been no taking or damage of the condemnee's property, or any interest therein, by the condemnor. Those public entities which are restricted by law from advancing costs shall be allowed to file the condemnation proceeding without costs prepayment, but at the termination of each such case, the court clerk will render to the condemnor an itemized bill for costs and shall claim payment of all costs due in the case.

SECTION 2. This act shall become effective September 1, 1991.

Passed the House of Representatives the 5th day of March, 1991.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1991.

President of the Senate