

ENGROSSED HOUSE
BILL NO. 2248

BY: BENSON of the HOUSE

and

ROBERTS of the SENATE

AN ACT RELATING TO CIVIL PROCEDURE; AMENDING 12 O.S.
1991, SECTION 1651, WHICH RELATES TO DECLARATORY
JUDGMENTS; DELETING EXCEPTION FOR INSURANCE
COVERAGE DETERMINATION; AND PROVIDING AN EFFECTIVE
DATE.

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

SECTION 1. AMENDATORY 12 O.S. 1991, Section 1651, is
amended to read as follows:

Section 1651. District courts may, in cases of actual
controversy, determine rights, status, or other legal relations,
including but not limited to a determination of the construction or
validity of any foreign judgment or decree, deed, contract, trust,
or other instrument or agreement or of any statute, municipal
ordinance, or other governmental regulation, whether or not other
relief is or could be claimed, except that no such declaration shall
be made concerning liability or nonliability for damages on account
of alleged tortious injuries to persons or to property either before
or after judgment or for compensation alleged to be due under
workers' compensation laws for injuries to persons ~~or concerning~~
~~obligations alleged to arise under policies of insurance covering~~
~~liability or indemnity against liability for such injuries.~~ The

determination may be made either before or after there has been a breach of any legal duty or obligation, and it may be either affirmative or negative in form and effect; provided however, that a court may refuse to make such determination where the judgment, if rendered, would not terminate the controversy, or some part thereof, giving rise to the proceeding.

SECTION 2. This act shall become effective September 1, 1992.

Passed the House of Representatives the 25th day of February, 1992.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1992.

President of the Senate