

ENGROSSED SENATE  
BILL NO. 610

BY: HERBERT of the SENATE

and

HUDSON of the HOUSE

[ MUNICIPAL COURTS OF RECORD - AMENDING 11 O.S.,  
SECTION 28-101 - MUNICIPAL COURTS OF RECORDS IN  
CITIES WITH CERTAIN POPULATION -  
EMERGENCY ]

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

SECTION 1. AMENDATORY 11 O.S. 1991, Section 28-101, is amended to read as follows:

Section 28-101. A. In cities having a population of more than ~~two hundred thousand (200,000)~~ fifty thousand (50,000) inhabitants, as determined by the latest federal census, there is hereby created a "Municipal Criminal Court of Record of the City of \_\_\_\_\_". References in Sections 28-101 through 28-128 of this title to the municipal criminal court of record shall mean the courts established by the provisions of this article in cities over ~~two hundred thousand (200,000)~~ fifty thousand (50,000) population.

B. Before a municipal criminal court of record created by this section may be put into operation, the municipal governing body shall determine by resolution that the efficient disposition of cases involving the violation of municipal ordinances necessitates putting the court into operation. The governing body shall cause a certified copy of the resolution to be filed in the office of the

county clerk of each county in which the municipality is located.  
The resolution and the filing thereof shall be judicially noticed in  
all courts of this state. Provided, any municipal criminal court of  
record created prior to the effective date of this act shall have  
all the powers and duties heretofore provided for such courts.

C. Municipal judges presiding over the municipal criminal court  
of record created by this section shall not be entitled to  
participate in The Uniform Retirement System For Justices and Judges  
established by Section 1101 et seq. of Title 20 of the Oklahoma  
Statutes. Any municipal criminal court of record judge who does not  
serve in that capacity on a full-time basis shall not be subject to  
the provisions of Section 1 of Title 5 of the Oklahoma Statutes  
which prohibit such judges from practicing as an attorney and  
counselor at law. Provided, however, that all such judges of  
municipal criminal courts of records shall not practice law in the  
courts they serve as judges and shall comply with all other laws and  
rules governing the conduct of attorneys and judges.

SECTION 2. It being immediately necessary for the preservation  
of the public peace, health and safety, an emergency is hereby  
declared to exist, by reason whereof this act shall take effect and  
be in full force from and after its passage and approval.

Passed the Senate the 4th day of March, 1992.

President of the Senate

Passed the House of Representatives the \_\_\_\_ day of  
\_\_\_\_\_, 1992.

Speaker of the House of  
Representatives

