

ENROLLED SENATE
BILL NO. 188

BY: CULLISON AND MILES-LaGRANGE
of the SENATE

and

JOHNSON (Glen) of the HOUSE

AN ACT RELATING TO STATUTES AND REPORTS;
AMENDING 75 O.S. 1981, SECTIONS 171, 172, 174,
175, 176, 177, 178, 179, AND 180 AND 181, AS
AMENDED BY SECTIONS 8 AND 9, CHAPTER 164, O.S.L.
1983 (75 O.S. SUPP. 1990, SECTIONS 180 AND 181),
WHICH RELATE TO AUTHORIZING THE COMPILING,
CODIFICATION AND ANNOTATION OF THE OKLAHOMA
STATUTES 1991; PROVIDING FOR CONTENTS,
CLASSIFICATION ARRANGEMENT, DERIVATION,
ANNOTATIONS AND CITATIONS; REQUIRING APPROVAL
AND CERTIFICATION BY THE OKLAHOMA SUPREME COURT;
DECLARING STATUTES TO BE THE OFFICIAL STATUTES
AND GENERAL AND PUBLIC LAWS OF THE STATE OF
OKLAHOMA AFTER THE APPROVAL THEREOF BY THE
JUSTICES OF THE SUPREME COURT; EXCEPTING CERTAIN
LAWS FROM THE OPERATION HEREOF; PROVIDING THE
OKLAHOMA STATUTES 1991 SHALL BE IN EFFECT AFTER
THE COMPLETION OF CERTAIN ACTS; PROVIDING FOR
CUMULATIVE SUPPLEMENTS; PROVIDING FOR PRICE;
DELETING AUTHORIZATION OF THE PRESIDENT PRO
TEMPORE OF THE SENATE AND THE SPEAKER OF THE
HOUSE OF REPRESENTATIVES TO ENTER INTO WRITTEN
AGREEMENTS FIXING THE PRICE OF OKLAHOMA
STATUTES, CUMULATIVE SUPPLEMENTS AND SESSION
LAWS; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 75 O.S. 1981, Section 171, is amended to read as follows:

Section 171. ~~The~~ West Publishing Company of St. Paul, Minnesota, is hereby authorized, empowered and directed to compile, codify and annotate the "Oklahoma Statutes ~~1981~~ 1991", according to the terms, specifications and conditions directed by the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

SECTION 2. AMENDATORY 75 O.S. 1981, Section 172, is amended to read as follows:

Section 172. The Statutes as provided for in Section 171 of this title shall contain the Magna Carta, Declaration of Independence, the Constitution of the United States with its amendments, the Organic Act of Oklahoma, the Enabling Act of Oklahoma, the Constitution of the State of Oklahoma with its

schedule and amendments, and all laws of the State of Oklahoma of a general and permanent nature now in force, including all laws and amendments of a general and permanent nature passed by the First Regular Session of the ~~Thirty-eight~~ Forty-third Legislature, ~~1981~~ 1991, with all repealed laws and those held unconstitutional by the highest courts eliminated.

SECTION 3. AMENDATORY 75 O.S. 1981, Section 174, is amended to read as follows:

Section 174. Each section of the Statutes as provided for in Section 171 of this title shall show its derivation and parallel citations to the 1910, 1921, 1931, 1941, 1951, 1961 ~~and~~, 1971 ~~and~~ 1981 Oklahoma Statutes, and contain key number references to ~~the~~ National Reporter System publications.

SECTION 4. AMENDATORY 75 O.S. 1981, Section 175, is amended to read as follows:

Section 175. Each section of the Statutes as provided for in Section 171 of this title shall include ample annotations and citations from the most comprehensive and leading cases, construing the Constitution of Oklahoma and the Oklahoma Statutes; said decisions to be from the courts of last resort of the State of Oklahoma, Oklahoma Territory, Indian Territory and the United States, and the lower United States courts, as well as decisions from the State of Kansas relating to civil procedure and decisions from the States of California, North Dakota and South Dakota, relating to probate procedure, and to the laws of wills and succession; together with annotations to decisions of the courts of other states construing Statutes adopted by the Territory of Oklahoma and the State of Oklahoma from those states prior to adoption by Oklahoma Territory and the State of Oklahoma. The annotations of said Statutes shall include citations to Oklahoma Territory and Indian Territory Reports, the official Oklahoma Reports, Official Oklahoma Criminal Reports, Pacific Reporter and Southwestern Reporter prior to July 1, ~~1981~~ 1991, and shall also include parallel citations to the American Law Reports, Lawyers Reports Annotated, American Annotated Cases, American and English Annotated Cases, American Reports, American State Reports and American Decisions, if such cases are reported therein; and applicable citations that may be included in the United States Reports, United States Supreme Court Reporter, and United States Reports-Lawyers Edition. There shall also be shown the pertinent key number ~~or numbers of the~~ references to National Reporter System ~~to each section~~ publications.

It is not required that every decision construing any Statute be included, but it is intended that every section, and subdivision thereof, which has been construed or applied shall be supported by annotations of comprehensive decisions, and that upon the whole, this compilation of Statutes shall be annotated in a good and reasonable and serviceable manner so as to be wholly dependable and usable as an annotated Statute.

SECTION 5. AMENDATORY 75 O.S. 1981, Section 176, is amended to read as follows:

Section 176. The Oklahoma Statutes ~~1981~~ 1991 shall be in ~~four~~ four ~~(4)~~ six (6) volumes and shall contain an index in the ~~fourth~~ sixth volume as much more complete and much more comprehensive as the index now used in Oklahoma Statutes Annotated, and shall be printed in a type not smaller than and on paper of equal quality as that now used in Oklahoma Statutes Annotated, and shall be bound in du Pont Fabrikoid of equal quality as that now used in the Oklahoma Statutes Annotated. Said volumes shall be as nearly equal in size as

possible without any title of said Statutes being printed in two volumes.

SECTION 6. AMENDATORY 75 O.S. 1981, Section 177, is amended to read as follows:

Section 177. Before finally printing the Oklahoma Statutes ~~1981~~ 1991, the West Publishing Company shall present its manuscript of said Statutes to the Justices of the Supreme Court of the State of Oklahoma, and shall secure the approval of the Justices of the Supreme Court as to form and as to compliance with the provisions of this act; provided, further, that the Justices of the Supreme Court shall also, after approving said manuscript, certify said Statutes as to accuracy, completeness and correctness.

SECTION 7. AMENDATORY 75 O.S. 1981, Section 178, is amended to read as follows:

Section 178. The Oklahoma Statutes ~~1981~~ 1991, prepared by West Publishing Company and in ~~four (4)~~ six (6) volumes as above provided for, after the same shall have been approved by the Justices of the Supreme Court of the State of Oklahoma as hereinabove provided, shall be as provided in Section 179 of this title, and are hereby adopted as the general and public laws of the State of Oklahoma and the official Statutes of the State of Oklahoma, as to all laws therein contained. Provided, however, that this act shall not be construed to repeal or in any way affect or modify any special or local laws or any law making an appropriation or any law relating to any special election or validating act, or any law affecting any bond issue or by which any bond issue may have been authorized, nor to affect any pending proceedings or any existing rights or remedies, nor the running of the statutes of limitations in force at the time of the approval of this act; but all such local and special laws, laws making appropriations, laws relating to special elections, validating acts, and laws relating to or authorizing bond issues, pending proceedings, and existing rights and remedies, and statutes of limitations running and in force at the time of the approval of this act shall continue and exist in all respects as if this act had not been passed. Provided, further, that this act shall not be construed to alter, change, impair, disparage, vest or divest, or in any way affect any right or interest in the United States, the State of Oklahoma, any of the Five Civilized Tribes, or other Tribes or Nations of Indians within the State of Oklahoma, nor shall the same be construed to repeal any act of the Legislature of the State of Oklahoma enacted subsequent to the adjournment of the First Regular Session of the ~~Thirty-eighth~~ Forty-third Legislature of the State of Oklahoma.

SECTION 8. AMENDATORY 75 O.S. 1981, Section 179, is amended to read as follows:

Section 179. The Oklahoma Statutes ~~1981~~ 1991 shall take effect and be in full force and effect after the approval thereof by the Justices of the Supreme Court of the State of Oklahoma, and after the ~~receipt~~ publication of two thousand (2,000) sets of said Statutes ~~in published and bound form by the Secretary of State of the State of Oklahoma,~~ as herein provided for; provided, that the Secretary of State shall, upon ~~receipt~~ publication of said two thousand (2,000) sets of such Statutes, issue a proclamation and publish the same in some newspaper published in and of general circulation within the State of Oklahoma, stating the date upon which said Statutes were ~~delivered to him~~ published.

SECTION 9. AMENDATORY 75 O.S. 1981, Section 180, as amended by Section 8, Chapter 164, O.S.L. 1983 (75 O.S. Supp. 1990, Section 180), is amended to read as follows:

Section 180. A West Publishing Company shall publish a cumulative supplement ~~shall be published~~ annually after the adjournment of each regular session of the Oklahoma Legislature until ~~1991~~ 2001, corresponding in general appearance to the original volumes and of comparable quality in printing, paper, and binding. ~~The price of each supplement of the statutes to the State of Oklahoma and to the citizens thereof, delivered, shall be fixed by a written agreement entered into by the Speaker of the House of Representatives and the President Pro Tempore of the Senate of the then current Legislature with West Publishing Company. The agreement shall be entered into within fifteen (15) days after sine die adjournment of each regular session of the Legislature during said ten-year period, and a copy of the agreement shall be filed in the Office of the Secretary of State.~~

SECTION 10. AMENDATORY 75 O.S. 1981, Section 181, as amended by Section 9, Chapter 164, O.S.L. 1983 (75 O.S. Supp. 1990, Section 181), is amended to read as follows:

Section 181. The price of the ~~four-volume~~ six-volume set of the Oklahoma Statutes ~~1981~~ 1991 to the State of Oklahoma and to the citizens thereof shall be ~~One Hundred Fifty Dollars (\$150.00)~~ One Hundred Eighty-five Dollars (\$185.00) per set, delivered, during a period of one (1) year following the approval and certification of said statutes. ~~The price of the general statutes and session laws for each succeeding one-year period shall be fixed by written agreement entered into by the Speaker of the House of Representatives and the President Pro Tempore of the Senate of the then current Legislature with West Publishing Company. The agreement shall be entered into within thirty (30) days after the sine die adjournment of the regular session of the Legislature, and a copy of the agreement shall be filed in the Office of the Secretary of State.~~

SECTION 11. 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 26th day of February, 1991.

President of the Senate

Passed the House of Representatives the 25th day of March, 1991.

Speaker of the House of Representatives