

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)
COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1378

By: Hamilton (Jeff)

COMMITTEE SUBSTITUTE

An Act relating to fees; amending 28 O.S. 1991, Section 156, which relates to fees for notice by publication; modifying payment procedure for fees for notice by publication; and providing an effective date.

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

SECTION 1. AMENDATORY 28 O.S. 1991, Section 156, is amended to read as follows:

Section 156. In all cases or proceedings in the district courts or other courts of record, in which notice by publication is required or requested, there must be deposited with the court clerk at the time of the filing of the petition therein the sum of Twenty-five Dollars (\$25.00), provided however, the required deposit may be waived by the court clerk as to all or specific attorneys when a publisher submits a written list of names of said attorneys to the court clerk to which the waiver should apply.

Said sum shall be in addition to the flat fees herein established and shall be used only for the purpose of paying the publisher's fee for publishing such notice or notices. In the event it cannot be ascertained at the time the petition is filed that notice by publication will be required or requested and the required deposit for publication is not paid at that time, then when an affidavit for service by publication or verified petition or pleading is filed for the first time the court clerk shall collect the said sum of Twenty-five Dollars (\$25.00) to be used only to pay the publisher's fee for publishing such notice or notices; any part of said amount not actually charged for publication costs shall be refunded. Prior to accepting any final decree or dismissal for

filing in any case in which notice by publication is required or requested, the court clerk shall collect for transmittal to the publisher such fees as are necessary to pay for all costs of publication or have on file a statement or receipt from the publisher that the same have been paid and, provided further, that proof of publication shall be held by the court clerk but not filed until such time as such publication fees have been collected in full or such statement or receipt from the publisher that the same have been paid has been filed.

SECTION 2. This act shall become effective September 1, 1993.

44-1-6598

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