

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

COMMITTEE SUBSTITUTE FOR
HOUSE JOINT
RESOLUTION NO. 1048

By: Vaughn (Ray)

COMMITTEE SUBSTITUTE

A Joint Resolution relating to marriage and family; establishing the Domestic Relations Recodification Committee; directing cooperation; stating Committee membership, method of appointment, term and procedure for vacancies; stating purposes and duties for Committee; establishing dates for Committee to submit recommendations; providing termination date for Committee; providing for appointment of Chairman, co-chairman and officers; authorizing travel reimbursement; providing for meetings, quorum and record-keeping; requiring progress reports; providing staff to assist Committee; authorizing acceptance of federal funds and other monies or property; providing for codification; providing an effective date; and declaring an emergency.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 44TH OKLAHOMA LEGISLATURE:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 700.1 of Title 43, unless there is created a duplication in numbering, reads as follows:

A. The 44th Legislature hereby establishes the Domestic Relations Recodification Committee and directs said Committee to undertake a full, good faith and thorough study and recommended revision and recodification of the domestic relations and family laws and procedures of the Oklahoma Statutes.

B. All departments, officers, agencies and employees of this state shall cooperate with the Domestic Relations Recodification Committee in carrying out its duties and responsibilities, including providing any information, records and reports as may be requested by the Chairman of the Committee.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 700.2 of Title 43, unless there is created a duplication in numbering, reads as follows:

A. The Recodification Committee shall consist of fourteen (14) members appointed as follows:

1. One member shall be a presiding judge of a court having domestic relations jurisdiction, to be appointed by the Assembly of Presiding Judges;

2. One member shall be a professor of law from the University of Oklahoma Law Center, to be appointed by the Director of the Law Center;

3. One member shall be a professor of law from the University of Tulsa College of Law, to be appointed by the Dean of the College of Law;

4. One member shall be the Director of the Department of Human Services or his designee;

5. Three members shall be appointed by the President Pro Tempore of the Senate;

6. Three members shall be appointed by the Speaker of the House of Representatives;

7. One member shall be a judge or a justice of the Supreme Court of the State of Oklahoma, to be appointed by the justices of the Supreme Court of the State of Oklahoma; and

8. Three members shall be attorneys practicing in the area of family law and who are active members of the Family Law Section of the Oklahoma Bar Association, to be appointed by the Chairman of the Family Law Section of the Oklahoma Bar Association.

B. Each member of the Domestic Relations Recodification Committee initially appointed shall make his appointment known to the President Pro Tempore of the Senate and the Speaker of the House of Representatives by August 1, 1994. Appointed members shall serve until June 30, 1996.

C. The Domestic Relations Recodification Committee may divide into subcommittees in furtherance of its purposes.

D. Any vacancies in the appointive membership of the Domestic Relations Recodification Committee shall be filled for the unexpired term in the same manner as the original appointment.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 700.3 of Title 43, unless there is created a duplication in numbering, reads as follows:

A. The purposes of the Domestic Relations Recodification Committee shall be to conduct a systematic review and study of all domestic and family law procedures in the Oklahoma Statutes and prepare a recommended draft to recodify the statutes. The duties of the Committee in preparing recommendations shall be as follows:

1. To consolidate similar statutes;
2. To renumber domestic and family law statutes;
3. To repeal obsolete or duplicate statutes or any statutes which shall have been declared unconstitutional by court decision;
4. To create a recommended Domestic and Family Law Code in Title 43 of the Oklahoma Statutes;
5. To incorporate into the Domestic and Family Law Code as many existing statutes relating to domestic and family law procedure found throughout the Oklahoma Statutes as is practicable;
6. To update statutory references within each section relating to domestic and family law procedure;
7. To clarify and update existing statutory language;
8. To recodify those sections of law which relate to domestic and family law procedure when the move will improve the location, use, application and appropriateness of the section; and
9. To perform any other act necessary to complete the above purposes of the Committee.

B. The Domestic Relations Recodification Committee shall be responsible for drafting recommended legislation in accordance with the current legislative drafting procedures.

C. 1. The Domestic Relations Recodification Committee shall prepare a final draft of a recommended Domestic and Family Law Code, and shall submit said recommended Code to the President Pro Tempore of the Senate and the Speaker of the House of Representatives by November 1, 1995.

2. If, after the Committee submits the recommended Code, the Committee determines the Code needs additional revisions, said

revisions shall be submitted as one final amendment. The recommended Code amendment shall be submitted to the President Pro Tempore of the Senate and the Speaker of the House of Representatives not later than January 7, 1996.

3. The Domestic Relations Recodification Committee shall submit a summary of every recommended change and addition to existing laws at the time the recommended Domestic and Family Law Code and any amendments are presented to the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

D. The Domestic Relations Recodification Committee shall cease to function June 30, 1996.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 700.4 of Title 43, unless there is created a duplication in numbering, reads as follows:

A. Within fifteen (15) days from the initial appointment of membership for the Domestic Relations Recodification Committee, the Chairman and co-chairman of the Committee shall be appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives from the membership of the Committee, who shall serve until June 30, 1996.

B. Other officers may be elected to serve the Committee for terms of office as may be designated by the Committee members. The Chairman of the Committee or his designee shall preside at meetings.

C. The Committee may meet at least one time per month and at such other times as may be set by the Chairman of the Committee.

D. Members of the Committee shall receive no salary; however, all members of the Committee shall be reimbursed for their actual and necessary travel expenses as follows:

1. Legislative members of the Committee shall receive reimbursement from the house in which they serve as provided in the State Travel Reimbursement Act, except when the Legislature is in session and the meeting is held in Oklahoma City.

2. Nonlegislative Committee members employed by the state shall be reimbursed by their respective employing agency pursuant to the Travel Reimbursement Act.

3. Any other Committee member shall receive reimbursement pursuant to the Travel Reimbursement Act from funds of the Legislative Service Bureau.

E. A majority of the members appointed to the Committee shall constitute a quorum and a majority present may act for the Committee.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 700.5 of Title 43, unless there is created a duplication in numbering, reads as follows:

The Domestic Relations Recodification Committee shall provide a written progress report to the President Pro Tempore of the Senate and the Speaker of the House of Representatives on or before March 1, 1995.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 700.6 of Title 43, unless there is created a duplication in numbering, reads as follows:

The Oklahoma State Senate and the Oklahoma House of Representatives may provide staff assistance to the Domestic Relations Recodification Committee as necessary to assist the Committee in the performance of its duties.

SECTION 7. This act shall become effective July 1, 1994.

SECTION 8. 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.

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