

SHORT TITLE: Civil procedure; requiring certain notice of intent to sue; emergency.

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

SENATE BILL NO. 14

By: Herbert

AS INTRODUCED

An Act relating to civil procedure; amending 12 O.S. 1991, Section 2003, which relates to commencement of civil actions; requiring certain notice of intent to sue before commencement of action; and declaring an emergency.

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

SECTION 1. AMENDATORY 12 O.S. 1991, Section 2003, is amended to read as follows:

Section 2003.

COMMENCEMENT OF ACTION

A. At least fifteen (15) days prior to commencement of a civil action, each plaintiff shall mail notice of intent to sue, along with a settlement offer, to each defendant. Service of the notice shall be by certified mail, return receipt requested, to each person who will be a defendant at the last-known address of each person who will be a defendant with delivery restricted to the addressee. No civil action may be commenced unless the plaintiff has complied with the provisions of this subsection.

B. A civil action is commenced by filing a petition with the court.

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.

45-1-0115

KSM