

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1168

By: Askins

AS INTRODUCED

An Act relating to marriage and family; amending Section 3, Chapter 185, O.S.L. 1994, Section 4, Chapter 185, O.S.L. 1994, as amended by Section 1, Chapter 67, O.S.L. 1995, Section 5, Chapter 185, O.S.L. 1994, as amended by Section 2, Chapter 67, O.S.L. 1995, and Section 6, Chapter 185, O.S.L. 1994, as amended by Section 3, Chapter 67, O.S.L. 1995 (43 O.S. Supp. 1996, Section 700.2, 700.3, 700.4, and 700.5), which relates to the Domestic Relations Recodification Committee; extending certain appointment, expiration, report, and draft dates; providing for vacancies; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 3, Chapter 185, O.S.L. 1994 (43 O.S. Supp. 1996, Section 700.2), is amended to read as follows:

Section 700.2 A. The Domestic Relations 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~~ 1998. Any vacancies shall be filled in the same manner as the original appointments.

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 2. AMENDATORY Section 4, Chapter 185, O.S.L. 1994, as amended by Section 1, Chapter 67, O.S.L. 1995 (43 O.S. Supp. 1996, Section 700.3), is amended to read as follows:

Section 700.3 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, ~~1996~~ 1997.

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, 1997.

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, ~~1997~~ 1998.

SECTION 3. AMENDATORY Section 5, Chapter 185, O.S.L. 1994, as amended by Section 2, Chapter 67, O.S.L. 1995 (43 O.S. Supp. 1996, Section 700.4), is amended to read as follows:

Section 700.4 A. Within fifteen (15) days from the initial appointment of membership for the Domestic Relations Recodification Committee, the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each appoint one member of the Committee to serve as cochairs. If a vacancy occurs in such office, a new cochair shall be appointed from the Committee in the same manner as the original appointment, ~~who shall serve until June 30,~~ ~~1997~~.

B. Other officers may be elected to serve the Committee for terms of office as may be designated by the Committee members. The

cochairs of the Committee or their designees 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 cochairs 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; and

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 4. AMENDATORY Section 6, Chapter 185, O.S.L. 1994, as amended by Section 3, Chapter 67, O.S.L. 1995 (43 O.S. Supp. 1996, Section 700.5), is amended to read as follows:

Section 700.5 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, 1996~~ April 1, 1997.

SECTION 5. 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.

46-1-5012

KSM