

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1421

By: Erwin

AS INTRODUCED

An Act relating to counties and county officers;  
amending 19 O.S. 1991, Section 514, which relates  
to service of process by county sheriffs; modifying  
language; amending 28 O.S. 1991, Section 152.1, as  
amended by Section 9, Chapter 339, O.S.L. 1996 (28  
O.S. Supp. 1996, Section 152.1), which relates to  
fees in civil actions; modifying language; and  
providing an effective date.

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

SECTION 1. AMENDATORY 19 O.S. 1991, Section 514, is  
amended to read as follows:

Section 514. The sheriff in person, or by ~~his~~ the undersheriff  
or deputy, shall serve and execute, according to law, all process,  
writs, precepts and orders issued or made by lawful authorities, and  
directed to ~~him~~ directed the sheriff, and shall attend upon the  
several courts of record held in ~~his~~ the county.

SECTION 2. AMENDATORY 28 O.S. 1991, Section 152.1, as  
amended by Section 9, Chapter 339, O.S.L. 1996 (28 O.S. Supp. 1996,  
Section 152.1), is amended to read as follows:

Section 152.1 In civil cases other than those in the small claims division, the court clerk shall collect and deposit in the court fund the following charges in addition to the flat fee:

1. For posting notices and filing certificates required by statute \$20.00
2. For mailing by any type of mail writs, warrants, orders, process, command, or notice for each person \$7.00 except ordinary mailing of first-class mail in probate cases, for each case \$5.00
3. For the actual cost of all postage in each case in excess of \$7.00
4. For serving or endeavoring to serve each writ, warrant, order, process, command, or notice for each person in one or more counties \$20.00 provided that if more than one person is served at the same address, one flat fee of Twenty Dollars (\$20.00) may be charged;
5. For sheriff's fees on court-ordered sales of real or personal property \$50.00
6. When a jury is requested ..... \$50.00
7. For issuing each summons for each person .... \$5.00
8. For services of a court reporter at each trial held in the case \$20.00

The fees prescribed in paragraphs 4 and 5 of this section shall be paid by the court clerk into the Sheriff's Service Fee Account, created pursuant to the provisions of Section 514.1 of Title 19 of the Oklahoma Statutes, of the sheriff in the county where service is made or attempted or where the sheriff's sale occurs. All other fees shall be deposited into the local court fund in the county where the fees are collected.

SECTION 3. This act shall become effective November 1, 1997.

46-1-5083

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