

ENROLLED HOUSE
BILL NO. 1103

By: Matlock of the House

and

Rabon of the Senate

An Act relating to fees; amending 28 O.S. 1991, Section 152.1, as last amended by Section 11, Chapter 400, O.S.L. 1997 (28 O.S. Supp. 1998, Section 152.1), which relates to fees in civil actions; modifying fees for service of process; modifying requirement for payment of fee; modifying fees for court-ordered sales; and providing an effective date.

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

SECTION 1. AMENDATORY 28 O.S. 1991, Section 152.1, as last amended by Section 11, Chapter 400, O.S.L. 1997 (28 O.S. Supp. 1998, Section 152.1), is amended to read as follows:

Section 152.1 In civil cases, 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 the filing of any counterclaim or setoff pursuant to Section 1758 of Title 12 of the Oklahoma Statutes\$10.00
 3. For mailing by any type of mail writs, warrants, orders, process, command, or notice for each person\$ 7.00
 4. For the actual cost of all postage in each case in excess of \$7.00
 5. For serving ~~or endeavoring to serve~~ each writ, warrant, order, process, command, or notice for each person in one or more counties.....~~\$20.00~~
.....\$35.00
- provided that if more than one person is served at the same address, one flat fee of ~~Twenty Dollars~~ ~~(\$20.00)~~ Thirty-five Dollars (\$35.00) may be charged;
6. For sheriff's fees on court-ordered sales of real or personal property~~\$50.00~~
.....\$75.00

- 7. When a jury is requested\$50.00
- 8. For issuing each summons for each person.....\$ 5.00
- 9. For services of a court reporter at each trial
held in the case.....\$20.00

The fees prescribed in paragraphs 5 and 6 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 collected.

SECTION 2. This act shall become effective November 1, 1999.

Passed the House of Representatives the 24th day of February,
1999.

Speaker of the House of
Representatives

Passed the Senate the 5th day of April, 1999.

President of the Senate