EHB 1819

CORRECTED PRINTING

THE STATE SENATE
Monday, April 2, 2001

ENGROSSED
House Bill No. 1819

ENGROSSED HOUSE BILL NO. 1819 - By: ADAIR and TOURE of the House and TAYLOR and HENRY of the Senate.

An Act relating to statutes and reports; amending 75 O.S. 1991, Sections 171, 172, 174, 175, 176, 177, 178, 179, 180 and 181, which relate to the compiling, codification and annotation of the Oklahoma Statutes; authorizing the compilation, codification and annotation of the Oklahoma Statutes 2001; providing procedures and requirements related thereto; specifying when the Oklahoma Statutes 2001 shall take effect; providing for cumulative supplements; specifying price for a set of Oklahoma Statutes 2001; and declaring an emergency.

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

SECTION 1. AMENDATORY 75 O.S. 1991, Section 171, is amended to read as follows:

Section 171. West ~~Publishing Company~~ Group of St. Paul, Minnesota, is hereby authorized, empowered and directed to compile, codify and annotate the "Oklahoma Statutes ~~1991~~ 2001", according to the terms, specifications and conditions directed by the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

(Bold face denotes Committee Amendments)

SECTION 2. AMENDATORY 75 O.S. 1991, Section 172, is amended to read as follows:

Section 172. The Statutes as provided for in Section 171 of this title shall contain the Magna Carta, Declaration of Independence, the Constitution of the United States with its amendments, the Organic Act of Oklahoma, the Enabling Act of Oklahoma, the Constitution of the State of Oklahoma with its schedule and amendments, and all laws of the State of Oklahoma of a general and permanent nature now in force, including all laws and amendments of a general and permanent nature passed by the First Regular Session of the ~~Forty-third~~ Forty-eighth Legislature, ~~1991~~ 2001, with all repealed laws and those held unconstitutional by the highest courts eliminated.

SECTION 3. AMENDATORY 75 O.S. 1991, Section 174, is amended to read as follows:

Section 174. Each section of the Statutes as provided for in Section 171 of this title shall show its derivation and parallel citations to the 1910, 1921, 1931, 1941, 1951, 1961, 1971 ~~and~~, 1981, and 1991 Oklahoma Statutes, and contain key number references to National Reporter System publications.

SECTION 4. AMENDATORY 75 O.S. 1991, Section 175, is amended to read as follows:

Section 175. Each section of the Statutes as provided for in Section 171 of this title shall include ample annotations and citations from the most comprehensive and leading cases, construing the Constitution of Oklahoma and the Oklahoma Statutes; said decisions to be from the courts of last resort of the State of Oklahoma, Oklahoma Territory, Indian Territory and the United States, and the lower United States courts, as well as decisions from the State of Kansas relating to civil procedure and decisions from the States of California, North Dakota and South Dakota, relating to probate procedure, and to the laws of wills and succession; together with annotations to decisions of the courts of other states construing Statutes adopted by the Territory of Oklahoma and the State of Oklahoma from those states prior to adoption by Oklahoma Territory and the State of Oklahoma. The annotations of said Statutes shall include citations to Oklahoma Territory and Indian Territory Reports, the official Oklahoma Reports, Official Oklahoma Criminal Reports, Pacific Reporter and Southwestern Reporter prior to July 1, ~~1991~~ 2001, and shall also include parallel citations to the American Law Reports, Lawyers Reports Annotated, American Annotated Cases, American and English Annotated Cases, American Reports, American State Reports and American Decisions, if such cases are reported therein; and applicable citations that may be included in the United States

Reports, United States Supreme Court Reporter, and United States Reports-Lawyers Edition. There shall also be shown the pertinent key number references to National Reporter System publications.

It is not required that every decision construing any Statute be included, but it is intended that every section, and subdivision thereof, which has been construed or applied shall be supported by annotations of comprehensive decisions, and that upon the whole, this compilation of Statutes shall be annotated in a good and reasonable and serviceable manner so as to be wholly dependable and usable as an annotated Statute.

SECTION 5. AMENDATORY 75 O.S. 1991, Section 176, is amended to read as follows:

Section 176. The Oklahoma Statutes ~~1991~~ 2001 shall be in six (6) volumes and shall contain an index in the sixth volume as much more complete and much more comprehensive as the index now used in Oklahoma Statutes Annotated, and shall be printed in a type not smaller than and on paper of equal quality as that now used in Oklahoma Statutes Annotated, and shall be bound in du Pont Fabrikoid of equal quality as that now used in the Oklahoma Statutes Annotated. Said volumes shall be as nearly equal in size as possible without any title of said Statutes being printed in two volumes.

SECTION 6. AMENDATORY 75 O.S. 1991, Section 177, is amended to read as follows:

Section 177. Before finally printing the Oklahoma Statutes ~~1991~~ 2001, West ~~Publishing Company~~ Group shall present its manuscript of said Statutes to the Justices of the Supreme Court of the State of Oklahoma, and shall secure the approval of the Justices of the Supreme Court as to form and as to compliance with the provisions of this act; provided, further, that the Justices of the Supreme Court shall also, after approving said manuscript, certify said Statutes as to accuracy, completeness and correctness.

SECTION 7. AMENDATORY 75 O.S. 1991, Section 178, is amended to read as follows:

Section 178. The Oklahoma Statutes ~~1991~~ 2001, prepared by West ~~Publishing Company~~ Group and in six (6) volumes as above provided for, after the same shall have been approved by the Justices of the Supreme Court of the State of Oklahoma as hereinabove provided, shall be as provided in Section 179 of this title, and are hereby adopted as the general and public laws of the State of Oklahoma and the official Statutes of the State of Oklahoma, as to all laws therein contained. Provided, however, that this act shall not be construed to repeal or in any way affect or modify any special or local laws or any law making an appropriation or any law relating to any special election or validating act, or any law affecting any

bond issue or by which any bond issue may have been authorized, nor to affect any pending proceedings or any existing rights or remedies, nor the running of the statutes of limitations in force at the time of the approval of this act; but all such local and special laws, laws making appropriations, laws relating to special elections, validating acts, and laws relating to or authorizing bond issues, pending proceedings, and existing rights and remedies, and statutes of limitations running and in force at the time of the approval of this act shall continue and exist in all respects as if this act had not been passed. Provided, further, that this act shall not be construed to alter, change, impair, disparage, vest or divest, or in any way affect any right or interest in the United States, the State of Oklahoma, any of the Five Civilized Tribes, or other Tribes or Nations of Indians within the State of Oklahoma, nor shall the same be construed to repeal any act of the Legislature of the State of Oklahoma enacted subsequent to the adjournment of the First Regular Session of the ~~Forty-third~~ Forty-eighth Legislature of the State of Oklahoma.

SECTION 8. AMENDATORY 75 O.S. 1991, Section 179, is amended to read as follows:

Section 179. The Oklahoma Statutes ~~1991~~ 2001 shall take effect and be in full force and effect after the approval thereof by the Justices of the Supreme Court of the State of Oklahoma, and after

the publication of two thousand (2,000) sets of said Statutes as herein provided for~~; provided, that the~~. The Secretary of State ~~shall~~, upon publication of said two thousand (2,000) sets of such Statutes, shall issue a proclamation and publish the same in some newspaper published in and of general circulation within the State of Oklahoma, stating the date upon which said Statutes were published.

SECTION 9. AMENDATORY 75 O.S. 1991, Section 180, is amended to read as follows:

Section 180. West ~~Publishing Company~~ Group shall publish a cumulative supplement annually after the adjournment of each regular session of the Oklahoma Legislature until ~~2001~~ 2011, corresponding in general appearance to the original volumes and of comparable quality in printing, paper, and binding.

SECTION 10. AMENDATORY 75 O.S. 1991, Section 181, is amended to read as follows:

Section 181. The price of the six-volume set of the Oklahoma Statutes ~~1991~~ 2001 to the State of Oklahoma and to the citizens thereof shall be ~~One Hundred Eighty-five Dollars ($185.00)~~ Two Hundred Ten Dollars ($210.00) per set, delivered, during a period of one (1) year following the approval and certification of said statutes.

SECTION 11. 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.

COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 3-27-01 - DO PASS.