

CS for SB 654

THE STATE SENATE  
Tuesday, February 27, 2001

Committee Substitute for  
Senate Bill No. 654

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 654 - By: WILLIAMSON of the Senate and VAUGHN of the House.

An Act relating to counties and county officers; amending 28 O.S. 1991, Section 152.1, as last amended by Section 5, Chapter 38, O.S.L. 2000 (28 O.S. Supp. 2000, Section 152.1), which relates to fees; providing for the collection of certain fees; setting fee; requiring certain fees be deposited in certain accounts; providing certain monies be expended in a certain manner; amending 19 O.S. 1991, Section 514, which relates to service of process; granting certain authority to sheriffs; 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 5, Chapter 38, O.S.L. 2000 (28 O.S. Supp. 2000, Section 152.1), is amended to read as follows:

Section 152.1 A. 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 ..... \$30.00
- 2. For the filing of any counterclaim or setoff pursuant to Section 1758 of Title 12 of the Oklahoma Statutes ..... \$20.00

- 1        3. For mailing by any type of mail writs, warrants,  
2            orders, process, command, or notice for each  
3            person..... \$ 7.00
- 4        4. For the actual cost of all postage in each case in  
5            excess of ..... \$ 7.00
- 6        5. For serving each writ, warrant, order, process,  
7            command, or notice for each person in one or  
8            more counties. .... \$35.00
- 9            provided that if more than one person is served at  
10           the same address, one flat fee of Thirty-five  
11           Dollars (\$35.00) may be charged
- 12           excluding warrants for failure to appear in child  
13           support cases when the individual named in the  
14           warrant resides in a contiguous county
- 15        6. For sheriff's fees on court-ordered sales of real  
16            or personal property ..... \$75.00
- 17        7. When a jury is requested ..... \$60.00
- 18        8. For issuing each summons for each person ..... \$ 5.00
- 19        9. For services of a court reporter at each trial  
20            held in the case ..... \$20.00
- 21        10. For serving each warrant for failure to appear in  
22            child support cases when the individual named in  
23            the warrant resides in a contiguous county ..... \$70.00

1       The fees prescribed in paragraphs 5, ~~and~~ 6, and 10 of subsection  
2 A of this section shall be paid by the court clerk into the  
3 Sheriff's Service Fee Account, created pursuant to the provisions of  
4 Section 514.1 of Title 19 of the Oklahoma Statutes, of the sheriff  
5 in the county where service is made or attempted or where the  
6 sheriff's sale occurs. Fifty percent (50%) of the fees described in  
7 paragraph 10 of this section shall be used to pay arrest and  
8 transportation costs for sheriffs in the county which does not  
9 originate the warrant for these costs upon arrest. All other fees  
10 shall be deposited into the local court fund in the county where  
11 collected.

12       B. Of the amounts collected pursuant to the provisions of  
13 paragraphs 1, 2 and 7 of subsection A of this section, the sum of  
14 Ten Dollars (\$10.00) shall be deposited to the credit of the Child  
15 Abuse Multidisciplinary Account.

16       SECTION 2.       AMENDATORY       19 O.S. 1991, Section 514, is  
17 amended to read as follows:

18       Section 514. A. The sheriff in person, or by ~~his~~ the sheriff's  
19 under-sheriff or deputy, shall serve and execute, according to law,  
20 all process, writs, precepts and orders issued or made by lawful  
21 authorities, and to ~~him~~ the sheriff directed, and shall attend upon  
22 the several courts of record held in ~~his~~ the sheriff's county.

1        B. The sheriff of one county shall have the authority to serve  
2 and return a civil warrant for failure to appear in a child support  
3 case in a contiguous county.

4        SECTION 3. This act shall become effective November 1, 2001.

5        COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-21-01 - DO  
6        PASS, As Amended and Coauthored.