

ENGROSSED HOUSE AMENDMENTS

TO

ENGROSSED SENATE BILL NO. 1275

By: Smith of the Senate

and

Hastings of the House

An Act relating to civil procedure; amending 12 O.S. 2001, Sections 139, 706.2, 842, 990.4, 1172, 1173.4, 1174, 1773, and 2004, as amended by Section 7, Chapter 402, O.S.L. 2002 (12 O.S. Supp. 2003, Section 2004), which relate to venue, appeal from money judgment, judgment debtors, garnishment proceedings, dismissal of action and process; modifying venue for certain actions; providing that certain money amount be determined by court order upon application; requiring submission of certain statement; establishing certain duty of judgment debtor; adding recipient of certain mailed notice; extending number of days to object under certain circumstances; providing certain restriction on extension; allowing a judge to issue certain citation or warrant under specified circumstances; establishing certain actions as contempt of court; expanding applicability of certain bond limitation; modifying information to be included in affidavit in certain proceedings; clarifying priority of certain garnishment lien; modifying certain procedure for providing notice; increasing certain time periods; clarifying parties eligible to file certain motion; amending 31 O.S. 2001, Section 1.1, which relates to personal earnings; updating reference; clarifying court authority for certain orders or modifications; and providing an effective date.

AMENDMENT NO. 1. Page 34, line 26 1/2, add a new Section 10 to read

"SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2004.3 of Title 12, unless there is created a duplication in numbering, reads as follows:

SUBPOENA ON OKLAHOMA EMPLOYMENT SECURITY COMMISSION. The records of the Oklahoma Employment Security Commission shall be subject to subpoena. The Oklahoma Employment Security Commission shall have thirty (30) days to respond to any subpoena. The

Oklahoma Employment Security Commission shall be entitled to a fee of Five Dollars (\$5.00) for each individual's records subpoenaed."

and renumber subsequent sections

and amend the title to conform

AMENDMENT NO. 2. Page 35, line 32 1/2, add a new Section 11 to read

"SECTION 11. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1172.3 of Title 12, unless there is created a duplication in numbering, reads as follows:

NOTICE OF MUNICIPAL JUDGMENT IN DISTRICT COURT. A municipal court which issues judgment against an individual pursuant to municipal ordinance, or an agent of the municipality which has issued judgment against an individual pursuant to municipal ordinance, may file a Notice of Municipal Judgment in the District Court of the county in which the municipality is located. Upon filing of said Notice of Municipal Judgment, the municipality or its agent shall be entitled to garnishment as provided by law against the debtors of the person against whom the municipal judgment was issued."

and renumber subsequent section

and amend the title to conform

Passed the House of Representatives the 12th day of April, 2004.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2004.

Presiding Officer of the Senate