

ENROLLED SENATE
BILL NO. 435

By: Smith of the Senate

and

Toure of the House

An Act relating to labor; amending 40 O.S. 2001, Section 2-302, which relates to the Employment Security Act of 1980; clarifying language; clarifying representation in certain proceedings; and providing an effective date.

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

SECTION 1. AMENDATORY 40 O.S. 2001, Section 2-302, is amended to read as follows:

Section 2-302. ~~(1)~~ A. No individual claiming benefits shall be charged fees or costs of any kind in any proceeding under this act by the Board of Review, the Commission, or its representatives, or by any court or any officer thereof, except that a court may assess costs against the claimant or employer if the court determines that the proceedings for judicial review have been instituted or continued without reasonable grounds. Any individual claiming benefits in any proceeding before the Commission or the Board of Review or its representatives or a court may be represented by counsel but no such counsel shall either charge or receive for such services more than an amount approved by the Board of Review. Any person who violates any provision of this section shall, for each such offense, be fined not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), or imprisoned for not more than six (6) months, or both such fine and imprisonment.

~~(2)~~ B. Parties to any proceeding ~~under this act~~ before the Commission or Board of Review may be represented in ~~such that~~ proceeding by the individual of his or her choice regardless of whether or not ~~said that~~ that individual is an attorney duly licensed to practice law by the Supreme Court of the State of Oklahoma. Parties to any proceeding before a court of record of this state may appear pro se or the party must be represented by an attorney duly licensed to practice law by the Supreme Court of this state.

SECTION 2. This act shall become effective November 1, 2003.

Passed the Senate the 12th day of March, 2003.

Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of April, 2003.

Presiding Officer of the House
of Representatives