ENROLLED SENATE
BILL NO. 838

By: Shurden of the Senate

and

Erwin of the House

An Act relating to sheriffs; amending 28 O.S. 2001, Section 152.1, which relates to civil action fees; increasing service fee; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 28 O.S. 2001, 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

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.....$~~35.00~~

50.00

provided that if more than one person is served at the same address, one flat fee of ~~Thirty-five Dollars ($35.00)~~ Fifty Dollars ($50.00) may be charged

6. For sheriff's fees on court-ordered sales of real or personal property.....$75.00

7. When a jury is requested.....$60.00

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 subsection A 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.

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

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

SECTION 3. 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.

Passed the Senate the 14th day of May, 2003.

_____
Presiding Officer of the Senate

Passed the House of Representatives the 23rd day of May, 2003.

_____
Presiding Officer of the House
of Representatives