

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 2063

By: Anderson of the Senate
and
Jackson of the House

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(civil procedure - appraisalment of property - fees -
effective date)

AMENDMENT NO. 1. Strike the stricken title, enacting clause
and entire bill and insert

"(civil procedure - appraisalment of property - fees -
effective date)

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

SECTION 1. AMENDATORY 12 O.S. 2001, Section 759, is
amended to read as follows:

Section 759. A. When a general execution is issued and placed
in the custody of a sheriff for levy, a certified copy of the
execution shall be filed in the office of the county clerk of the
county whose sheriff holds the execution and shall be indexed in the

1 same manner as judgments. At the time the execution is filed, the
2 court clerk shall collect from the party seeking a general execution
3 all fees necessary for the payment of the disinterested persons for
4 their services in appraising of the subject property pursuant to the
5 requirements of subsection B of this section.

6 B. If a general or special execution is levied upon lands and
7 tenements, the sheriff shall endorse on the face of the writ the
8 legal description and shall have three disinterested persons who
9 have taken an oath to impartially appraise the property levied on,
10 upon actual view; and the disinterested persons shall return to the
11 officer their signed estimate of the real value of the property.
12 The disinterested persons shall be paid for their services by the
13 court clerk of the county where the property is located within
14 thirty (30) days of the date that they return their estimate of the
15 real value of the property.

16 C. To extend a judgment lien beyond the initial or any
17 subsequent statutory period, prior to the expiration of such period,
18 a certified copy of one of the following must be filed and indexed
19 in the same manner as judgments in the office of the county clerk in
20 the county in which the statement of judgment was filed and the lien
21 thereof is sought to be retained:

- 22 1. A general execution upon the judgment;
- 23 2. A notice of renewal of judgment;
- 24 3. A garnishment summons issued against the judgment debtor; or

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4. A notice of income assignment sent to a payor of the judgment debtor.

SECTION 2. This act shall become effective November 1, 2010."

Passed the House of Representatives the 14th day of April, 2010.

Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2010.

Presiding Officer of the Senate