

1 ENGROSSED SENATE
2 BILL NO. 2063

By: Anderson of the Senate
and
Jackson of the House

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6 [civil procedure - appraisement of property - fees -
7 effective date]
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9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

12 Section 759. A. When a general execution is issued and placed
13 in the custody of a sheriff for levy, a certified copy of the
14 execution shall be filed in the office of the county clerk of the
15 county whose sheriff holds the execution and shall be indexed in the
16 same manner as judgments. At the time the execution is filed, the
17 county clerk shall collect from the party seeking a general
18 execution all fees necessary for the payment of the disinterested
19 persons for their services in appraising of the subject property
20 pursuant to the requirements of subsection B of this section.

21 B. If a general or special execution is levied upon lands and
22 tenements, the sheriff shall endorse on the face of the writ the
23 legal description and shall have three disinterested persons who
24 have taken an oath to impartially appraise the property levied on,

1 upon actual view; and the disinterested persons shall return to the
2 officer their signed estimate of the real value of the property.
3 The disinterested persons shall be paid for their services by the
4 county clerk of the county where the property is located within
5 thirty (30) days of the date that they return their estimate of the
6 real value of the property.

7 C. To extend a judgment lien beyond the initial or any
8 subsequent statutory period, prior to the expiration of such period,
9 a certified copy of one of the following must be filed and indexed
10 in the same manner as judgments in the office of the county clerk in
11 the county in which the statement of judgment was filed and the lien
12 thereof is sought to be retained:

- 13 1. A general execution upon the judgment;
- 14 2. A notice of renewal of judgment;
- 15 3. A garnishment summons issued against the judgment debtor; or
- 16 4. A notice of income assignment sent to a payor of the
17 judgment debtor.

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

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1 Passed the Senate the 22nd day of February, 2010.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2010.

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9 Presiding Officer of the House
10 of Representatives