

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1380

By: Crain

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5
6 AS INTRODUCED

7 An Act relating to civil procedure; amending 12 O.S.
8 2001, Section 66, as last amended by Section 1,
9 Chapter 248, O.S.L. 2007 (12 O.S. Supp. 2009, Section
10 66), which relates to payment of costs; modifying
11 requirements for payment of certain costs; and
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 12 O.S. 2001, Section 66, as last
15 amended by Section 1, Chapter 248, O.S.L. 2007 (12 O.S. Supp. 2009,
16 Section 66), is amended to read as follows:

17 Section 66. A. Whenever an action is filed in any of the
18 courts of this state where the State of Oklahoma or any of its
19 departments or agencies, as defined in Section 152 of Title 51 of
20 the Oklahoma Statutes, is a party, no bonds or other obligation of
21 security shall be required from the state or from any party acting
22 under the direction of the state, either to prosecute, answer, or
23 appeal the action. The execution of a judgment or final order of
24 any judicial tribunal against the state or any of its departments or
agencies is automatically stayed without the execution of a

1 supersedeas bond until any appeal of such judgment or final order
2 has finally been determined.

3 In case of an adverse decision, such costs as by law are taxable
4 against the state, or against the party acting by its direction,
5 shall be paid out of the funds of the department under whose
6 direction the proceedings were instituted or defended.

7 B. Costs shall be paid to the court fund of the district court
8 in which an action is filed from the first funds collected in
9 satisfaction of any judgment obtained by this state or any party
10 acting under the direction of this state, except when the funds are
11 collected pursuant to a child support order, or judgment, ~~or~~
12 ~~pursuant to any civil forfeiture action.~~ No action filed by this
13 state or by any party acting under the direction of this state shall
14 be dismissed with unpaid costs of the action without the prior
15 notification of the district court clerk of the county in which the
16 action was filed.

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

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