

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2063

By: Anderson

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5
6 AS INTRODUCED

7 An Act relating to civil procedure; amending 12 O.S.
8 2001, Section 759, which relates to appraisement of
9 property; requiring collection of certain fees;
10 requiring certain payment within specified time
11 period; and providing an effective date.

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

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

15 Section 759. A. When a general execution is issued and placed
16 in the custody of a sheriff for levy, a certified copy of the
17 execution shall be filed in the office of the county clerk of the
18 county whose sheriff holds the execution and shall be indexed in the
19 same manner as judgments. At the time the execution is filed, the
20 county clerk shall collect from the party seeking a general
21 execution all fees necessary for the payment of the disinterested
22 persons for their services in appraising of the subject property
23 pursuant to the requirements of subsection B of this section.
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1 B. If a general or special execution is levied upon lands and
2 tenements, the sheriff shall endorse on the face of the writ the
3 legal description and shall have three disinterested persons who
4 have taken an oath to impartially appraise the property levied on,
5 upon actual view; and the disinterested persons shall return to the
6 officer their signed estimate of the real value of the property.
7 The disinterested persons shall be paid for their services by the
8 county clerk of the county where the property is located within
9 thirty (30) days of the date that they return their estimate of the
10 real value of the property.

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

- 17 1. A general execution upon the judgment;
- 18 2. A notice of renewal of judgment;
- 19 3. A garnishment summons issued against the judgment debtor; or
- 20 4. A notice of income assignment sent to a payor of the
21 judgment debtor.

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

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