

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 1313

By: Crain of the Senate

and

6 Grau of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to alternate delivery methods for
11 service; amending 12 O.S. 2011, Section 2004.3, which
12 relates to delivery methods; modifying requirements
13 of persons authorized to accept certain service;
14 creating certain presumption; and providing an
15 effective date.

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

17 SECTION 1. AMENDATORY 12 O.S. 2011, Section 2004.3, is
18 amended to read as follows:

19 Section 2004.3 A. In lieu of mailing a copy of process or
20 other papers by certified mail, return receipt requested and
21 delivery restricted to the addressee as required or allowed by ~~Title~~
22 ~~12 of the Oklahoma Statutes~~ this title, a party or attorney may send
23 the same by commercial courier service, overnight delivery service,
24 or other reliable personal delivery service to the party addressed,
in each instance evidenced by a written or electronic receipt signed

1 by the addressee showing to whom delivered, date of delivery,
2 address where delivered, and person or entity effecting delivery.
3 Acceptance of service by a person who is fifteen (15) years of age
4 or older who resides at the defendant's dwelling house or usual
5 place of abode shall constitute acceptance by the party addressed.
6 A return receipt signed at a dwelling house or usual place of abode
7 shall be presumed to have been signed by a person who is fifteen
8 (15) years of age or older who resides at that dwelling house or
9 abode.

10 B. In lieu of mailing a copy of papers by ordinary mail as
11 required or allowed by ~~Title 12 of the Oklahoma Statutes~~ this title,
12 a party or attorney may send same by commercial courier service,
13 overnight delivery service, or other reliable personal delivery
14 service to the party addressed.

15 C. When one of the methods described in this section is
16 utilized, all deadlines based upon service shall be calculated in
17 the same manner as if the service had been by mail.

18 D. This section shall not apply to the filing of any document
19 with a court clerk. The filing of documents with a court clerk
20 remains governed by the Oklahoma Statutes and court rules.

21 E. In case of an entity described in division (3) of
22 subparagraph c of paragraph 1 of subsection C of Section 2004 of
23 this title, acceptance by any officer or by any employee of the
24 registered office or principal place of business who is authorized

1 to or who regularly receives certified mail shall constitute
2 acceptance by the party addressed. A return receipt signed at such
3 registered office or principal place of business shall be presumed
4 to have been signed by an employee authorized to receive certified
5 mail.

6 SECTION 2. This act shall become effective November 1, 2012.

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