

1 ENGROSSED SENATE  
2 BILL NO. 1313

By: Crain of the Senate

3 and

4 Grau of the House

5  
6 An Act relating to alternate delivery methods for  
7 service; amending 12 O.S. 2011, Section 2004.3, which  
8 relates to delivery methods; modifying requirements  
9 of persons authorized to accept or refuse certain  
10 service; creating certain presumption; and providing  
11 an effective date.

10

11

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

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

15 Section 2004.3. A. In lieu of mailing a copy of process or  
16 other papers by certified mail, return receipt requested and  
17 delivery restricted to the addressee as required or allowed by ~~Title~~  
18 ~~12 of the Oklahoma Statutes~~ this title, a party or attorney may send  
19 the same by commercial courier service, overnight delivery service,  
20 or other reliable personal delivery service to the party addressed,  
21 in each instance evidenced by a written or electronic receipt signed  
22 by the addressee showing to whom delivered, date of delivery,  
23 address where delivered, and person or entity effecting delivery.  
24 Acceptance or refusal of service by a person who is fifteen (15)

1 years of age or older who resides at the defendant's dwelling house  
2 or usual place of abode shall constitute acceptance or refusal by  
3 the party addressed. A return receipt signed at a dwelling house or  
4 usual place of abode shall be presumed to have been signed by a  
5 person who is fifteen (15) years of age or older who resides at that  
6 dwelling house or abode.

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

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

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

18 E. In case of an entity described in division (3) of  
19 subparagraph c of paragraph 1 of subsection C of Section 2004 of  
20 this title, acceptance or refusal by any officer or by any employee  
21 of the registered office or principal place of business who is  
22 authorized to or who regularly receives certified mail shall  
23 constitute acceptance or refusal by the party addressed. A return  
24 receipt signed at such registered office or principal place of

1 business shall be presumed to have been signed by an employee  
2 authorized to receive certified mail.

3 SECTION 2. This act shall become effective November 1, 2012.  
4 Passed the Senate the 6th day of March, 2012.

5

6

\_\_\_\_\_  
Presiding Officer of the Senate

7

8 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
9 2012.

10

11

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

12

13

14

15

16

17

18

19

20

21

22

23

24