STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1090 By: Bingman

COMMITTEE SUBSTITUTE

An Act relating to workers' compensation administrative agency; amending 62 O.S. 2011, Sections 361, 365.1 and 365.2, which relate to definitions, jurisdiction and journal entry; modifying definition; specifying exclusive jurisdiction of certain actions; adding entity required to provide certain certified copies; and providing an effective date.

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

SECTION 1. AMENDATORY 62 O.S. 2011, Section 361, is amended to read as follows:

Section 361. The term "board" as used herein shall be construed to mean the board of directors, or the board of education of any school district, independent or otherwise, the board of trustees of any town or township, the mayor and council of any city, the board of commissioners or city council of any city having a charter form of government and the board of county commissioners of any county. The term "judgment" shall be construed to mean: (1) the final determination by any court of competent jurisdiction in any action

or proceeding to determine the rights of parties, or (2) the final decision of an administrative agency designated by the state legislature to issue workers' compensation orders. The term "municipality" as used herein shall be construed to mean any school district, independent or otherwise, any township, any city or town, irrespective of the form of government prevailing in said city or town, and any county.

SECTION 2. AMENDATORY 62 O.S. 2011, Section 365.1, is amended to read as follows:

Section 365.1. It is hereby provided that courts of record shall have exclusive jurisdiction in all actions for money judgment or for establishing any indebtedness against any county, city, town, board of education, school district or other municipal subdivisions of the State of Oklahoma. The administrative agency designated by the State Legislature to administer workers' compensation laws of this state shall have exclusive jurisdiction, absent an appeal, in all workers' compensation actions against any county, city, town, board of education, school district or other municipal subdivisions of this state.

SECTION 3. AMENDATORY 62 O.S. 2011, Section 365.2, is amended to read as follows:

Section 365.2. Whenever a judgment against a county in this state or any other municipal subdivision thereof, becomes final, the clerk of the court wherein such judgment was rendered, or the

administrative agency designated by the State Legislature to administer the workers' compensation laws of this state, shall provide without cost a certified copy of the journal entry of such judgment or administrative order to the judgment creditor or attorney for the judgment creditor who shall transmit same to each of the following municipal officers:

The clerk or secretary of the municipality defendant,

The treasurer of such municipality,

The secretary of the county excise board.

SECTION 4. This act shall become effective November 1, 2013.

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