

An Act

ENROLLED SENATE
BILL NO. 1090

By: Bingman of the Senate

and

Nelson of the House

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.

SUBJECT: Workers' compensation administrative agency

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. A. 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.

B. The term "judgment" shall be construed to mean ~~the~~ the:

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 judgment, decision and determination of an administrative law judge or an administrative agency designated by

the State Legislature to issue workers' compensation judgments, decisions and determinations.

C. 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 law judges and 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 law judge 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 the administrative judgment, decision and determination to the judgment creditor or attorney for the judgment creditor who shall transmit same to each of the following municipal officers:

1. The clerk or secretary of the municipality defendant;
2. The treasurer of such municipality; and
3. The secretary of the county excise board.

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

Passed the Senate the 13th day of March, 2013.

Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of April, 2013.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____