

1 **SENATE FLOOR VERSION**

2 February 18, 2013

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1090

By: Bingman of the Senate

and

Nelson of the House

6  
7  
8  
9 An Act relating to workers' compensation  
10 administrative agency; amending 62 O.S. 2011,  
11 Sections 361, 365.1 and 365.2, which relate to  
12 definitions, jurisdiction and journal entry;  
13 modifying definition; specifying exclusive  
14 jurisdiction of certain actions; adding entity  
15 required to provide certain certified copies; and  
16 providing an effective date.

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

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

20 Section 361. The term "board" as used herein shall be construed  
21 to mean the board of directors, or the board of education of any  
22 school district, independent or otherwise, the board of trustees of  
23 any town or township, the mayor and council of any city, the board  
24 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

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

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

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

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

23 Section 365.2. Whenever a judgment against a county in this  
24 state or any other municipal subdivision thereof, becomes final, the

1 clerk of the court wherein such judgment was rendered, or the  
2 administrative agency designated by the State Legislature to  
3 administer the workers' compensation laws of this state, shall  
4 provide without cost a certified copy of the journal entry of such  
5 judgment or administrative order to the judgment creditor or  
6 attorney for the judgment creditor who shall transmit same to each  
7 of the following municipal officers:

- 8 The clerk or secretary of the municipality defendant,
- 9 The treasurer of such municipality,
- 10 The secretary of the county excise board.

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

12 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT  
13 February 18, 2013 - DO PASS AS AMENDED

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24