

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1034

By: Newberry

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5
6 AS INTRODUCED

7 An Act relating to private process servers; defining
8 terms; prohibiting certain solicitation; providing
9 exceptions; declaring certain contracts void;
10 creating misdemeanor offense; providing punishment;
11 providing for codification; and providing an
effective date.

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

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 593 of Title 21, unless there is
15 created a duplication in numbering, reads as follows:

16 A. As used in this section:

17 1. "Agent" means any person who acts for another at the request
18 or with the knowledge of the other in dealing with third persons;

19 2. "Private process server" means any person licensed pursuant
20 to Section 158.1 of Title 12 of the Oklahoma Statutes; and

21 3. "Runner", "capper" and "steerer" mean any person acting
22 within this state for compensation as an agent for a private process
23 server in the solicitation of a person to employ the private process
24 server to provide process services.

1 B. No private process server shall individually or by means of
2 an agent, runner, capper, steerer or other person, who is not a
3 private process server, solicit or procure a person to employ the
4 private process server while in a courthouse or any property where
5 court proceedings or court services take place. Solicitation shall
6 not include mass-communication advertising, including but not
7 limited to television, radio, newspapers, magazines, billboards and
8 internet or other electronic advertising. Solicitation shall also
9 not include procurement of private process server employment from a
10 court clerk's list pursuant to subsections I and J of Section 158.1
11 of Title 12 of the Oklahoma Statutes.

12 C. Any contract for employment of a private process server
13 secured in violation of this section shall be void and unenforceable
14 and no private process server shall provide process services in
15 violation of this section.

16 D. Any person who violates the provisions of this section shall
17 be guilty of a misdemeanor and upon conviction shall be subject to a
18 fine not to exceed Five Hundred Dollars (\$500.00) or imprisonment in
19 the county jail for a term not to exceed thirty (30) days or by both
20 such fine and imprisonment.

21 SECTION 2. This act shall become effective November 1, 2016.
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