

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 ENGROSSED SENATE
5 BILL NO. 114

By: Sharp of the Senate

and

Biggs of the House

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9 An Act relating to counties and county officers;
10 amending 19 O.S. 2011, Section 220, as last amended
11 by Section 2, Chapter 362, O.S.L. 2016 (19 O.S. Supp.
12 2016, Section 220), which relates to county clerk and
13 court clerk; modifying provisions relating to the
14 allocation of certain fund; and providing an
15 effective date.

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

17 SECTION 1. AMENDATORY 19 O.S. 2011, Section 220, as last
18 amended by Section 2, Chapter 362, O.S.L. 2016 (19 O.S. Supp. 2016,
19 Section 220), is amended to read as follows:

20 Section 220. A. Beginning July 1, 1991, there is hereby
21 created with the county treasurer of each county within this state a
22 depository revolving fund to be designated the "Court Clerk's
23 Revolving Fund". The fund shall be a continuing fund, not subject
24 to fiscal year limitations, and shall consist of all monies received
25 as grants from the federal government and any other monies

1 designated by law for deposit into the fund. All monies accruing to
2 the credit of the fund shall be expended by the court clerk for the
3 lawful operation of the court clerk's office. Claims against the
4 fund shall include only expenses incurred for the operation of the
5 court clerk's office in each county, and payment may be made after
6 the claim is approved by the court clerk and either the district or
7 the associate district judge of that county. The monies shall be
8 reported quarterly to the Administrator of the Courts. The
9 necessary forms and procedures shall be developed and implemented by
10 the Administrative Director of the Courts.

11 B. There shall be no monies, other than federal funds,
12 deposited into the fund created herein, unless expressly authorized
13 by the Legislature.

14 C. Notwithstanding any other provision of law, the court clerk
15 shall assess an administrative fee of ten percent (10%) on all fees
16 collected by the court clerk for agencies other than the court and
17 not deposited into the court fund. The administrative fee shall not
18 attach to the sheriff's service fees provided for in Sections 153
19 and 153.2 of Title 28 of the Oklahoma Statutes, monies deposited
20 into the Law Library Fund, witness fees paid by the district
21 attorney pursuant to the provisions of Section 82 of Title 28 of the
22 Oklahoma Statutes, and dispute resolution fees provided for in
23 Section 1809 of Title 12 of the Oklahoma Statutes. The
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1 administrative fees shall be deposited in the Court Clerk's
2 Revolving Fund.

3 D. Effective July 1, 2016, in addition to the amount collected
4 in subsection C of this section, the court clerk shall assess an
5 administrative fee of fifteen percent (15%) on all fees collected by
6 the court clerk for agencies other than the court and not deposited
7 into the court fund.

8 E. There is hereby created in the State Treasury a revolving
9 fund ~~for the district courts~~ to be allocated by the Supreme Court
10 for the administration of the district courts designated as the
11 "District Court Revolving Fund". The fund shall be a continuing
12 fund, not subject to fiscal year limitations, and shall consist of
13 all monies collected pursuant to subsection D of this section. All
14 monies accruing to the credit of the fund are hereby appropriated
15 and may be budgeted and expended by the ~~district courts~~ Supreme
16 Court as necessary to perform the duties imposed upon the district
17 courts by law. Expenditures from the District Court Revolving Fund
18 shall be made upon warrants issued by the State Treasurer against
19 claims filed as prescribed by law with the Director of the Office of
20 Management and Enterprise Services for approval and payment.

21 SECTION 2. This act shall become effective November 1, 2017.

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23 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
24 04/17/2017 - DO PASS.