

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE BILL 1264

By: Dahm

6 AS INTRODUCED

7 An Act relating to counties and county officers;
8 amending 19 O.S. 2011, Section 4, which relates to
9 status and powers of counties; modifying provisions
relating to suits or proceedings by or against a
county; and providing an effective date.

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

13 SECTION 1. AMENDATORY 19 O.S. 2011, Section 4, is
14 amended to read as follows:

15 Section 4. In all suits or proceedings by or against a county,
16 the name in which a county shall sue ~~or be sued~~ shall be, "Board of
17 County Commissioners of the County of _____," but this provision
18 shall not prevent county officers, where authorized by law, from
19 suing in their official name for the benefit of the county. Suit
20 may be brought against a county by naming a county officer
21 identified in Section 161 of this title when it is alleged that such
22 officer in his or her official capacity is directly or vicariously
23 liable to plaintiff in an action not sounding in contract.
24 Otherwise, suit may be brought against a county by naming the Board

1 of County Commissioners of the County of ; in actions against
2 the Board not sounding in contract, upon motion, the Court may
3 substitute a county officer identified in Section 161 of this title
4 in his or her official capacity for the Board upon a showing that
5 such county officer is better suited to represent and defend the
6 county under the particular facts of the case.

7 SECTION 2. This act shall become effective November 1, 2018.

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