

<DateSubmitted>

HOUSE OF REPRESENTATIVES  
CONFERENCE COMMITTEE REPORT

Mr. President:  
Mr. Speaker:

The Conference Committee, to which was referred

**HB2306**

By: McCall of the House and Smalley of the Senate

Title: Fees; fees in civil actions; establishing fee for issuance of subpoenas.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment.

Respectfully submitted,

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

**SENATE CONFEREES**

Allen \_\_\_\_\_  
 Bass \_\_\_\_\_  
 Bergstrom \_\_\_\_\_  
 Bice \_\_\_\_\_  
 Boggs \_\_\_\_\_  
 Brecheen \_\_\_\_\_  
 Brown \_\_\_\_\_  
 Dahm \_\_\_\_\_  
 Daniels \_\_\_\_\_  
 David \_\_\_\_\_  
 Dossett \_\_\_\_\_  
 Dugger \_\_\_\_\_  
 Fields \_\_\_\_\_  
 Floyd \_\_\_\_\_  
 Fry \_\_\_\_\_  
 Griffin \_\_\_\_\_  
 Holt \_\_\_\_\_  
 Jech \_\_\_\_\_  
 Kidd \_\_\_\_\_  
 Leewright \_\_\_\_\_  
 Marlatt \_\_\_\_\_  
 Matthews \_\_\_\_\_  
 McCortney \_\_\_\_\_  
 Newberry \_\_\_\_\_

Newhouse \_\_\_\_\_  
 Paxton \_\_\_\_\_  
 Pederson \_\_\_\_\_  
 Pemberton \_\_\_\_\_  
 Pittman \_\_\_\_\_  
 Pugh \_\_\_\_\_  
 Quinn \_\_\_\_\_  
 Rader \_\_\_\_\_  
 Scott \_\_\_\_\_  
 Sharp \_\_\_\_\_  
 Shaw \_\_\_\_\_  
 Silk \_\_\_\_\_  
 Simpson \_\_\_\_\_  
 Smalley \_\_\_\_\_  
 Sparks \_\_\_\_\_  
 Standridge \_\_\_\_\_  
 Stanislawski \_\_\_\_\_  
 Sykes \_\_\_\_\_  
 Thompson \_\_\_\_\_  
 Yen \_\_\_\_\_

House Action \_\_\_\_\_ Date \_\_\_\_\_

Senate Action \_\_\_\_\_ Date \_\_\_\_\_

1 ENGROSSED SENATE AMENDMENT  
TO  
2 ENGROSSED HOUSE  
BILL NO. 2306  
By: McCall of the House  
and  
Smalley of the Senate

3  
4  
5  
6  
7 An Act relating to fees; amending 28 O.S. 2011,  
8 Section 152.1, as amended by Section 4, Chapter 362,  
9 O.S.L. 2016 (28 O.S. Supp. 2016, Section 152.1),  
which relates to fees in civil actions; and  
establishing fee for issuance of subpoenas.

10  
11  
12 AMENDMENT NO. 1. strike the title to read

13 "[ fees - fees in civil actions ]"

14 Passed the Senate the 27th day of April, 2017.

15  
16 \_\_\_\_\_  
Presiding Officer of the Senate

17  
18 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
19 2017.

20  
21 \_\_\_\_\_  
22 Presiding Officer of the House  
23 of Representatives  
24

1 ENGROSSED HOUSE  
2 BILL NO. 2306  
3 By: McCall of the House  
4 and  
5 Smalley of the Senate

6 An Act relating to fees; amending 28 O.S. 2011,  
7 Section 152.1, as amended by Section 4, Chapter 362,  
8 O.S.L. 2016 (28 O.S. Supp. 2016, Section 152.1),  
9 which relates to fees in civil actions; and  
10 establishing fee for issuance of subpoenas.

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

12 SECTION 1. AMENDATORY 28 O.S. 2011, Section 152.1, as  
13 amended by Section 4, Chapter 362, O.S.L. 2016 (28 O.S. Supp. 2016,  
14 Section 152.1), is amended to read as follows:

15 Section 152.1 A. In civil cases, the court clerk shall collect  
16 and deposit in the court fund the following charges in addition to  
17 the flat fee:

- 18 1. For posting notices and filing  
19 certificates required by statute.....\$30.00  
20  
21 2. For the filing of any counterclaim or  
22 setoff pursuant to Section 1758 of  
23 Title 12 of the Oklahoma Statutes.....\$20.00  
24

3. For mailing by any type of mail writs,  
warrants, orders, process, command, or  
notice for each person.....\$10.00
4. For the actual cost of all postage in  
each case in excess of.....\$10.00
5. For serving or endeavoring to serve each  
writ, warrant, order, process,  
command, or notice for each person in  
one or more counties.....\$50.00
- provided that if more than one person is  
served at the same address, one flat fee  
of Fifty Dollars (\$50.00) may be charged
6. For sheriff's fees on court-ordered  
sales of real or personal property.....\$75.00
7. When a jury is requested.....\$349.00
8. For issuing each summons for each person.....\$10.00
9. For issuing each subpoena for each  
person.....\$25.00
10. For filing a Motion to Enter.....\$25.00
11. For services of a court reporter at  
each trial held in the case.....\$20.00
12. For filing a motion for summary  
judgment or summary disposition of  
issue(s).....\$50.00

The fees prescribed in paragraphs 5 and 6 of this subsection shall be paid by the court clerk into the Sheriff's Service Fee Account, created pursuant to the provisions of Section 514.1 of Title 19 of the Oklahoma Statutes, of the sheriff in the county where service is made or attempted or where the sheriff's sale occurs. All other fees shall be deposited into the local court fund in the county where collected.

B. The fee prescribed in paragraph 7 of subsection A of this section shall be paid at the time of the pretrial conference by the party requesting a jury.

Passed the House of Representatives the 7th day of March, 2017.

Presiding Officer of the House  
of Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2017.

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Presiding Officer of the Senate