

SENATE FLOOR VERSION

February 26, 2019

SENATE BILL NO. 233

By: Thompson

An Act relating to court costs; amending 12 O.S. 2011, Section 66, which relates to state as a party and payment of costs; requiring payment of court costs at the time of filing of certain actions; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 12 O.S. 2011, Section 66, is amended to read as follows:

Section 66. A. Whenever an action is filed in any of the courts of this state where the State of Oklahoma or any of its departments or agencies, as defined in Section 152 of Title 51 of the Oklahoma Statutes, is a party, no bonds or other obligation of security shall be required from the state or from any party acting under the direction of the state, either to prosecute, answer, or appeal the action. The execution of a judgment or final order of any judicial tribunal against the state or any of its departments or agencies is automatically stayed without the execution of a

1 supersedeas bond until any appeal of such judgment or final order
2 has finally been determined.

3 In case of an adverse decision, such costs as by law are taxable
4 against the state, or against the party acting by its direction,
5 shall be paid out of the funds of the department under whose
6 direction the proceedings were instituted or defended.

7 B. Costs shall be paid at the time of filing to the court fund
8 of the district court in which an action is filed ~~from the first~~
9 ~~funds collected in satisfaction of any judgment obtained by this~~
10 ~~state or any party acting under the direction of this state, except~~
11 ~~when the funds are collected pursuant to a child support order,~~
12 ~~judgment, or pursuant to any civil forfeiture action.~~ No action
13 filed by this state or by any party acting under the direction of
14 this state shall be dismissed with unpaid costs of the action
15 without the prior notification of the district court clerk of the
16 county in which the action was filed.

17 SECTION 2. This act shall become effective July 1, 2019.

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

22 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
23 February 26, 2019 - DO PASS
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