

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2346

By: Caldwell (Chad)

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6 AS INTRODUCED

7 An Act relating to civil procedure; amending 12 O.S.
8 2011, Section 850, which relates to judgments;
9 providing gender-neutral language; limiting
punishment for contempt to fine; setting maximum fine
amount; and providing an effective date.

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

13 SECTION 1. AMENDATORY 12 O.S. 2011, Section 850, is
14 amended to read as follows:

15 Section 850. The judge after the hearing provided herein may
16 order any property of the judgment debtor, not exempt by law, in ~~his~~
17 possession of the debtor or under ~~his~~ control of the debtor to be
18 applied toward the satisfaction of the judgment, and may enforce the
19 same by proceedings for contempt in case of refusal or disobedience.

20 The judge may further order the judgment debtor to pay to the
21 judgment creditor or apply on the judgment in installments, such
22 portion of ~~his~~ nonexempt income of the debtor, however or wherever
23 earned or acquired, as the court may deem proper after due regard
24 for any payments required to be made by the judgment debtor by

1 virtue of law or prior order of a court or under wage assignments
2 outstanding. Where the judgment debtor claims or is proved to be
3 rendering services to or employed by a relative or other person or
4 by a corporation owned or controlled by a relative or other person,
5 without salary or compensation, or at a salary or compensation so
6 inadequate as to satisfy the court that such salary or compensation
7 is merely colorable and designed to defraud or impede the creditors
8 of such debtor, the court may direct such debtor to make payments on
9 account of the judgment, in installments, based upon a reasonable
10 value of the services rendered by such judgment debtor under ~~his~~
11 said employment or upon said debtor's then earning ability. The
12 court may, from time to time, modify an order made under this
13 section upon application of either party upon notice to the other.
14 A failure or neglect to comply with an order of direction of the
15 court, shall be punished as for contempt, but only by imposition of
16 a fine not to exceed Five Hundred Dollars (\$500.00) as provided in
17 Section 566 of Title 21 of the Oklahoma Statutes.

18 SECTION 2. This act shall become effective November 1, 2019.

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20 57-1-7056 EK 12/31/18
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