

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB3218</b>
<b>Version:</b>	<b>CS</b>
<b>Request Number:</b>	<b>10141</b>
<b>Author:</b>	<b>West (K)</b>
<b>Date:</b>	<b>2/21/2024</b>
<b>Impact:</b>	<b>AOC: \$250,000</b>

**Research Analysis**

The committee substitute for HB3218 allows service of process to be done by email with approval from the judge or after three failed attempts to personally deliver a copy of the summons and petition to a defendant. After emailing the summons, a copy of the summons and complaint must also be sent by certified mail to the defendant at the last-known address. Service by email is considered complete on the day the email was received or refused and will be tracked by a secure hyperlink attached to the email.

Prepared By: Quyen Do

**Fiscal Analysis**

This measure makes procedural change for the Administrative Office of the Courts (AOC) in the service of process by electronic means. The AOC has provided the following information:

There will be a cost to the Oklahoma Court Information Systems Revolving Fund to pay for development, implementation, and training costs associated with the new electronic requirements of the bill. If a vendor is not used, there would be a development cost to program the functionality of the bill. Customization would be necessary for such external applications to integrate with the existing case management system and processes used in the 77 District Courts. Additionally, diverting resources to research, develop, and provide training for a significant new court process such as this is likely to delay the implementation of other systems including e-filing and a new unified case management system that the District Courts are already undertaking.

Further, additional staff will likely be required in all 77 Court Clerk offices to handle the additional procedural responsibilities mandated for the Clerks. The Courts expect some of the new processes may be labor intensive. The cost to hire additional staff will increase expenses to the Court Fund. This, in turn, will result in decreased collections for the State Judicial Fund which is used to fund the salaries and benefits for the District Courts.

In order to implement the provisions of HB3218 in its current form, the AOC has estimated a total cost of \$250,000 and would seek additional appropriations to cover these costs.

Prepared By: Robert Flipping IV, House Fiscal Staff

**Other Considerations**

None.

