An Act

ENROLLED SENATE
BILL NO. 2040

By: Anderson of the Senate

and

Sullivan of the House

An Act relating to fees; amending 28 O.S. 2001, Section 152.1, as last amended by Section 1, Chapter 195, O.S.L. 2006 (28 O.S. Supp. 2009, Section 152.1), which relates to civil actions; specifying time of payment of certain fee; and providing an effective date.

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

SECTION 1. AMENDATORY 28 O.S. 2001, Section 152.1, as last amended by Section 1, Chapter 195, O.S.L. 2006 (28 O.S. Supp. 2009, Section 152.1), is amended to read as follows:

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

1. For posting notices and filing certificates required by statute $30.00

2. For the filing of any counterclaim or setoff pursuant to Section 1758 of Title 12 of the Oklahoma Statutes $20.00

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 .....$ 5.00

9. For services of a court reporter at each trial held in the case $20.00

10. 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. Of the amounts collected pursuant to the provisions of paragraphs 1, 2 and 7 of subsection A of this section, the sum of Ten Dollars ($10.00) shall be deposited to the credit of the Child Abuse Multidisciplinary Account.

C. 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.

SECTION 2. This act shall become effective November 1, 2010.

Passed the Senate the 1st day of March, 2010.

Presiding Officer of the Senate

Passed the House of Representatives the 30th day of March, 2010.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Governor this 31st **day of** March, 2010, **at** 11:20 **o'clock** A **M.**

By:

Approved by the Governor of the State of Oklahoma the 2nd **day of** April, 2010, **at** 5:45 **o'clock** P **M.**

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 5th **day of** April, 2010, **at** 10:45 **o'clock** A **M.**

By: M. Susan Savage