

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 2306

By: McCall of the House

and

Smalley of the Senate

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
10 establishing fee for issuance of subpoenas.

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.

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16 _____
17 Presiding Officer of the Senate

18 Passed the House of Representatives the ____ day of _____,
19 2017.

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21 _____
22 Presiding Officer of the House
23 of Representatives
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2 BILL NO. 2306

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6 An Act relating to fees; amending 28 O.S. 2011,
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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 2. For the filing of any counterclaim or
21 setoff pursuant to Section 1758 of
22 Title 12 of the Oklahoma Statutes.....\$20.00

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

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

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

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

12 _____
13 Presiding Officer of the House
14 of Representatives

14 Passed the Senate the ___ day of _____, 2017.

15 _____
16 Presiding Officer of the Senate