

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1547

By: Moore

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6 AS INTRODUCED

7 An Act relating to civil procedure; defining terms;
8 granting process servers access to gated residential
9 communities under certain circumstances; requiring
10 certain proof by process servers; authorizing service
on certain persons under certain circumstances;
providing for codification; and providing an
effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 2004A of Title 12, unless there
16 is created a duplication in numbering, reads as follows:

17 A. For the purposes of this section:

18 1. "Gated residential community" includes, but is not limited
19 to, a community governed by a homeowners' association, a condominium
20 association, housing cooperative, apartment building, or private
21 community that has a security gate or barrier to block the entrance
22 to the community from a public street to a private street, parking
23 lot, or driveway of the community which is staffed by a security
24 officer or gatekeeper; and

1 2. "Process server" means a person authorized to serve process
2 by law such as a sheriff or deputy sheriff, a person licensed to
3 make service of process in civil cases, or a person specially
4 appointed for that purpose.

5 B. During the time a security officer or gatekeeper is assigned
6 to control access to a gated residential community, a process server
7 shall be granted access to the gated residential community for a
8 reasonable period of time for the sole purpose of performing lawful
9 service of process on a person who resides within or is known to be
10 within the community upon displaying a current driver's license or
11 other identification and proof the person is a process server.

12 C. In the case where the security officer or gatekeeper refuses
13 to allow entry into the gated residential community, the process
14 server shall consider the security officer or gatekeeper an agent of
15 the person as authorized by law to receive service of process.

16 SECTION 2. This act shall become effective November 1, 2023.

18 59-1-5344 AQH 12/06/22

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