

An Act

ENROLLED SENATE
BILL NO. 114

By: Sharp of the Senate

and

Osburn (Mike) of the House

An Act relating to counties and county officers; amending 19 O.S. 2011, Section 220, as last amended by Section 2, Chapter 362, O.S.L. 2016 (19 O.S. Supp. 2017, Section 220), which relates to county clerk and court clerk; and modifying provisions relating to the allocation of certain fund.

SUBJECT: Administration of fund for district courts

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

SECTION 1. AMENDATORY 19 O.S. 2011, Section 220, as last amended by Section 2, Chapter 362, O.S.L. 2016 (19 O.S. Supp. 2017, Section 220), is amended to read as follows:

Section 220. A. Beginning July 1, 1991, there is hereby created with the county treasurer of each county within this state a depository revolving fund to be designated the "Court Clerk's Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received as grants from the federal government and any other monies designated by law for deposit into the fund. All monies accruing to the credit of the fund shall be expended by the court clerk for the lawful operation of the court clerk's office. Claims against the fund shall include only expenses incurred for the operation of the court clerk's office in each county, and payment may be made after the claim is approved by the court clerk and either the district or the associate district judge of that county. The monies shall be

reported quarterly to the Administrator of the Courts. The necessary forms and procedures shall be developed and implemented by the Administrative Director of the Courts.

B. There shall be no monies, other than federal funds, deposited into the fund created herein, unless expressly authorized by the Legislature.

C. Notwithstanding any other provision of law, the court clerk shall assess an administrative fee of ten percent (10%) on all fees collected by the court clerk for agencies other than the court and not deposited into the court fund. The administrative fee shall not attach to the sheriff's service fees provided for in Sections 153 and 153.2 of Title 28 of the Oklahoma Statutes, monies deposited into the Law Library Fund, witness fees paid by the district attorney pursuant to the provisions of Section 82 of Title 28 of the Oklahoma Statutes, and dispute resolution fees provided for in Section 1809 of Title 12 of the Oklahoma Statutes. The administrative fees shall be deposited in the Court Clerk's Revolving Fund.

D. Effective July 1, 2016, in addition to the amount collected in subsection C of this section, the court clerk shall assess an administrative fee of fifteen percent (15%) on all fees collected by the court clerk for agencies other than the court and not deposited into the court fund.

E. There is hereby created in the State Treasury a revolving fund ~~for the district courts~~ to be allocated by the Supreme Court for the administration of the district courts designated as the "District Court Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies collected pursuant to subsection D of this section. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the ~~district courts~~ Supreme Court as necessary to perform the duties imposed upon the district courts by law. Expenditures from the District Court Revolving Fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

Passed the Senate the 7th day of March, 2017.

Presiding Officer of the Senate

Passed the House of Representatives the 18th day of April, 2018.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____