

1 **SENATE FLOOR VERSION**

February 9, 2016

2 **AS AMENDED**

3 SENATE BILL NO. 1201

By: Newberry

4
5
6 **[sheriff sales - certified real estate appraisers -
effective date]**

8
9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 1. AMENDATORY 12 O.S. 2011, Section 759, is
11 amended to read as follows:

12 Section 759. A. When a general execution is issued and placed
13 in the custody of a sheriff for levy, a certified copy of the
14 execution shall be filed in the office of the county clerk of the
15 county whose sheriff holds the execution and shall be indexed in the
16 same manner as judgments. At the time the execution is filed, the
17 court clerk shall collect from the party seeking a general execution
18 all fees necessary for the payment of the ~~disinterested persons~~
19 certified real estate appraiser for their services in appraising of
20 the subject property pursuant to the requirements of subsection B of
21 this section.

22 B. If a general or special execution is levied upon lands and
23 tenements, the sheriff shall endorse on the face of the writ the
24 legal description and shall have ~~three disinterested persons who~~

1 ~~have taken an oath to impartially~~ a certified real estate appraiser,
2 licensed pursuant to the Oklahoma Certified Real Estate Appraisers
3 Act, appraise the property levied on, upon actual view; and the
4 ~~disinterested persons~~ real estate appraiser shall return to the
5 officer ~~their~~ his or her signed estimate of the real value of the
6 property. The ~~disinterested persons~~ real estate appraiser shall be
7 paid for ~~their services~~ his or her service by the court clerk of the
8 county where the property is located within thirty (30) days of the
9 date that they return their estimate of the real value of the
10 property.

11 C. To extend a judgment lien beyond the initial or any
12 subsequent statutory period, prior to the expiration of such period,
13 a certified copy of one of the following must be filed and indexed
14 in the same manner as judgments in the office of the county clerk in
15 the county in which the statement of judgment was filed and the lien
16 thereof is sought to be retained:

- 17 1. A general execution upon the judgment;
- 18 2. A notice of renewal of judgment;
- 19 3. A garnishment summons issued against the judgment debtor; or
- 20 4. A notice of income assignment sent to a payor of the
21 judgment debtor.

22 SECTION 2. This act shall become effective November 1, 2016.

23 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
24 February 9, 2016 - DO PASS AS AMENDED