

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2346 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Chad Caldwell

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 2346

By: Caldwell (Chad)

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to civil procedure; amending 12 O.S.
2011, Section 850, which relates to judgments;
providing gender-neutral language; providing fine for
contempt punishment; setting maximum fine amount; and
providing an effective date.

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

SECTION 1. AMENDATORY 12 O.S. 2011, Section 850, is
amended to read as follows:

Section 850. The judge after the hearing provided herein may
order any property of the judgment debtor, not exempt by law, in ~~his~~
possession of the debtor or under ~~his~~ control of the debtor to be
applied toward the satisfaction of the judgment, and may enforce the
same by proceedings for contempt in case of refusal or disobedience.

The judge may further order the judgment debtor to pay to the
judgment creditor or apply on the judgment in installments, such
portion of ~~his~~ nonexempt income of the debtor, however or wherever
earned or acquired, as the court may deem proper after due regard

1 for any payments required to be made by the judgment debtor by
2 virtue of law or prior order of a court or under wage assignments
3 outstanding. Where the judgment debtor claims or is proved to be
4 rendering services to or employed by a relative or other person or
5 by a corporation owned or controlled by a relative or other person,
6 without salary or compensation, or at a salary or compensation so
7 inadequate as to satisfy the court that such salary or compensation
8 is merely colorable and designed to defraud or impede the creditors
9 of such debtor, the court may direct such debtor to make payments on
10 account of the judgment, in installments, based upon a reasonable
11 value of the services rendered by such judgment debtor under ~~his~~
12 said employment or upon said debtor's then earning ability. The
13 court may, from time to time, modify an order made under this
14 section upon application of either party upon notice to the other.
15 A failure or neglect of the debtor to comply with an order of
16 direction of the court, shall, upon conviction, be punished ~~as~~ for
17 contempt and subject to a fine not to exceed Five Hundred Dollars
18 (\$500.00) as provided in Section 566 of Title 21 of the Oklahoma
19 Statutes.

20 SECTION 2. This act shall become effective November 1, 2019.
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22 57-1-7916 EK 02/25/19
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