

1 ENGROSSED SENATE  
2 BILL NO. 484

By: Dahm of the Senate

3 and

4 O'Donnell of the House

5  
6  
7 An Act relating to counties and county officers;  
8 amending 19 O.S. 2011, Section 4, which relates to  
9 status and power of counties; modifying means by  
10 which lawsuits may be brought against a county; and  
11 providing an effective date.

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

13 SECTION 1. AMENDATORY 19 O.S. 2011, Section 4, is  
14 amended to read as follows:

15 Section 4. In all suits or proceedings by or against a county,  
16 the name in which a county shall sue or be sued shall be, "Board of  
17 County Commissioners of the County of \_\_\_\_\_," but this provision  
18 shall not prevent county officers, where authorized by law, from  
19 suing in their official name for the benefit of the county. Suit

20 may be brought against a county by naming a county officer  
21 identified in Section 161 of this title when it is alleged that such  
22 officer in his or her official capacity is directly or vicariously  
23 liable to plaintiff in an action not arising out of contract.

24 Otherwise, suit may be brought against a county by naming the Board

1 of County Commissioners of the County of \_\_\_\_\_ ; in actions against  
2 the Board not arising out of contract, upon motion, the Court may  
3 substitute a county officer identified in Section 161 of this title  
4 in his or her official capacity for the Board upon a showing that  
5 such county officer is better suited to represent and defend the  
6 county under the particular facts of the case.

7 SECTION 2. This act shall become effective November 1, 2019.

8 Passed the Senate the 12th day of March, 2019.

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10 \_\_\_\_\_  
11 Presiding Officer of the Senate

12 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
13 2019.

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15 \_\_\_\_\_  
16 Presiding Officer of the House  
17 of Representatives