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## Survey of Legislation Enacted by the Oklahoma Legislature at the 1965 Regular Session through March 3, 1965

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## LEGISLATION

### SURVEY OF LEGISLATION ENACTED BY THE OKLAHOMA LEGISLATURE AT THE 1965 REGULAR SESSION THROUGH MARCH 3, 1965.

#### CIVIL PROCEDURE

##### *Divorce and Alimony*—Okla. Laws 1965, Chapter 7

—provides that the court may make additional orders relative to expenses for actions brought for the enforcement of any orders in a divorce decree. This allows the court to order payment of the attorney's fees arising out of proceedings to force payment of alimony, etc. This was necessitated by a recent case holding that such fees could not be allowed.

#### CIVIL RIGHTS

##### *State Segregation Laws*—Okla. Laws 1965, Chapters 8, 9, 10, 16, 17, and 18

—repeals unconstitutional segregation laws with respect to higher education, transportation, and telephone booths. Legislation is pending to repeal the remainder of the segregation laws, to repeal the miscegenation laws, and to submit to the people a constitutional amendment repealing the segregation provisions in the state constitution.

#### CONTRACTORS

##### *Recodified Under Revenue and Taxation*—Okla. Laws 1965, Chapter 30

—rewrites laws concerning contractors and recodifies them all as a part of the tax code. Apparently little actual change was made.

#### MARRIAGE

##### *Waiting Period*—Okla. Laws 1965, Chapter 25

—provides a waiting period of 72 hours instead of 3 days for a marriage license. This is significant in that many people have found to their profound surprise that Tuesday is too late to apply for a license for a wedding the following weekend since the first day (Tuesday) isn't counted and three full days thereafter must elapse (Wednesday, Thursday, and Friday). In effect therefore the former 3 day waiting period was really a five day period which was misleading to the layman.

#### TORTS

##### *Good Samaritan Act*—Okla. Laws 1965, Chapter 24

expands civil immunity under the Good Samaritan Act to licensed practical nurses who render emergency aid to an accident victim and grants civil and criminal immunity to surgeons with respect to operations performed on accident victims at a hospital. Appears to give Oklahoma a good law on this subject.

## WILLS AND SUCCESSION

*Publication Service*—Okla. Laws 1965, Chapter 26

—Deletes word “immediate and remote” in setting out the procedure for obtaining publication service on unknown heirs, administrators, etc. of a decedent. This is good in that it makes the necessary description of these parties the same in this special provision as it is in the general provisions in 12 Okla. Stat. § 170 (1961).

*Waiting Period to Try Title*—Okla. Laws 1965, Chapter 27

—reduces the waiting period to try title to real property left generally to the “heirs” of the deceased in instances where there has been no decree by the county court, from 3 years to 1 year. One year seems a more reasonable time. It could be argued, however, that this is in violation of the state constitutional grant of exclusive probate jurisdiction to the county court, since this provision can be used to judicially determine title to land so devised in district court instead of county court. It is highly unlikely however that it could be seriously considered unconstitutional.

