

notice of active duty.

SENATOR SCHIMEK: Well, Senator Kristensen, I think you've got a good idea here and I can support your bill, I think, but I would prefer that you lengthen that, that time period a little bit. Just in the ordinary course of the mail, going from one address to another address, perhaps, that could easily take more than the 10 days if that tenant has moved a couple of times since they've moved out of that apartment that you have. So I have a concern about that 10 day limitation. That's all I have.

SPEAKER BAACK PRESIDING

SPEAKER BAACK: Thank you, Senator Schimek. We'll now proceed to Senator Robak.

SENATOR ROBAK: Thank you, Mr. Speaker and members of the body. Last year I had a bill similar to this which was based on Oklahoma's Uniform Residential Landlord-Tenant Act, but when I saw Senator Kristensen's bill this year I was satisfied to drop my bill and I asked him if I could co-sponsor his bill. I do have a question for Senator Kristensen.

SENATOR KRISTENSEN: Yes, Senator Robak.

SENATOR ROBAK: You may have addressed this, you may have answered this, I don't know. I just want to make sure in my mind that the landlord's determination as to the value of the property is based on his or her own reasonable belief, but my question is, could the landlord's claim of reasonable belief be challenged in court?

SENATOR KRISTENSEN: Oh, always, yes.

SENATOR ROBAK: Always?

SENATOR KRISTENSEN: Yes.

SENATOR ROBAK: What would the liability of the landlord be in this case?

SENATOR KRISTENSEN: Well, the bill talks about that if you do not...you don't get the advantages of immunity if you make misjudgments. In other words, you disposed of property whose value was more than \$250, then you don't get the liability