

An Act

ENROLLED SENATE
BILL NO. 1173

By: Hall and Rosino of the
Senate

and

Wallace and Caldwell (Trey)
of the House

An Act relating to courts; amending 20 O.S. 2021, Section 122, which relates to number of special judges in each judicial administrative district; making language gender neutral; updating statutory language; adding two special judges to be appointed in certain district; providing an effective date; and declaring an emergency.

SUBJECT: Special judges

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

SECTION 1. AMENDATORY 20 O.S. 2021, Section 122, is amended to read as follows:

Section 122. The number of special judges that may be appointed in each judicial administrative district shall be determined as follows:

1. A special judge shall be appointed on the basis of one special judge for each county within the administrative district with a population of at least twenty-four thousand (24,000), as determined by the 1960 Federal Decennial Census. An additional special judge shall be appointed for each additional fifty thousand (50,000) in population in a county within the administrative district, as determined by the 1960 Federal Decennial Census. Such appointment may be made from any county in the administrative district. Such appointments shall be made by the district judges in

their respective judicial administrative districts. Any judge of a special sessions court shall be one of the special judges for the balance of his or her term and shall be within the number prescribed for ~~said~~ such district.

2. In addition to the special judges that may be appointed pursuant to the provisions of paragraph 1 of this section, there shall be:

- a. one (1) special judge appointed in the Northwest-Panhandle Judicial Administrative District comprised of District Court Judicial Districts Numbers One (1), Two (2) and Four (4), to serve in Custer County~~†~~†
- b. one (1) special judge appointed in the Oklahoma-Canadian Counties Judicial Administrative District comprised of District Court Judicial District Number Seven (7)~~†~~†
- c. ~~three (3)~~ beginning July 1, 2024, five (5) special judges appointed in the Tulsa-Pawnee Counties Judicial Administrative District comprised of District Court Judicial District Number Fourteen (14)~~†~~†
- d. beginning January 11, 1999, one (1) special judge appointed in the Northeastern Judicial Administrative District comprised of District Court Judicial Districts Numbers Ten (10), Eleven (11), Twelve (12) and Thirteen (13), to serve in Rogers County~~†~~†
- e. one (1) special judge appointed in the ~~North-Central~~ North-Central Judicial Administrative District comprised of District Court Judicial District Numbers Eight (8), Nine (9) and Twenty-three (23), to serve in Lincoln and Pottawatomie Counties~~†~~†
- f. beginning January 1, 2006, one (1) special judge appointed in the ~~East-Central~~ East-Central Judicial Administrative District comprised of District Court Judicial District Numbers Fifteen (15), Eighteen (18) and Twenty-four (24), to serve in Pittsburg and McIntosh Counties~~†~~†

- g. beginning January 1, 2006, one (1) special judge appointed in the Northeastern Judicial Administrative District comprised of District Court Judicial District Numbers Ten (10), Eleven (11), Twelve (12) and Thirteen (13), to serve in Washington County~~r~~, and
- h. beginning January 1, 2007, one (1) special judge appointed in the Southeastern Judicial Administrative District comprised of District Court Judicial District Numbers Sixteen (16), Seventeen (17), Nineteen (19), and Twenty-five (25), to serve in ~~LeFlore~~ Le Flore County.

3. If a vacancy occurs in the office of associate district judge, or if an associate district judge becomes unable to perform the duties of his or her office, as determined by the presiding judge of the judicial administrative district, a special judge may be appointed within the judicial administrative district to hold office for the duration of ~~said~~ such vacancy or incapacity. After the vacancy is filled, or after the associate district judge becomes able to perform the duties of his or her office, the special judge shall have the power to act in regard to any case which he or she has already tried, but the presiding judge of the judicial administrative district may transfer such a case to any other judge in the judicial administrative district.

4. The Chief Justice of the Supreme Court may authorize the appointment of such additional special judges as may be necessary for the proper administration of justice. Such additional special judges shall be appointed after application by a majority of the district judges of a judicial administrative district, stating the reason why an additional special judge is needed. Such additional judges need not be based upon population figures.

SECTION 2. This act shall become effective July 1, 2024.

SECTION 3. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 28th day of May, 2024.

Presiding Officer of the Senate

Passed the House of Representatives the 30th day of May, 2024.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____