

OKLAHOMA STATE SENATE
CONFERENCE
COMMITTEE REPORT

May 27, 2024

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB473

By: Treat and Paxton of the Senate and Echols and Hilbert of the House


Title: Courts; establishing certain judicial offices; creating Task Force for the Study of Business Courts. Emergency.

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the House recede from all Amendments.
2. That the attached Conference Committee Substitute (Request #3844) be adopted.

Respectfully submitted,

SENATE CONFEREES:



Treat

Howard



McCortney

Floyd



Gollihare

HOUSE CONFEREES:

Special Conference Committee on SB473

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 CONFERENCE COMMITTEE SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL NO. 473

By: Treat and Paxton of the
Senate

6 and

7 Echols, Sneed, Manger, West
(Kevin), Cantrell, and
8 Hilbert of the House

9
10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to courts; establishing judicial
12 office in District No. 7; establishing judicial
13 office in District No. 14; creating the Task Force
14 for the Study of Business Courts; establishing method
15 for appointing members; providing deadline for
16 organizational meeting; specifying quorum
17 requirements; providing meeting authorization;
18 providing for task force duties; requiring staff
19 assistance; directing submission of reports of
20 findings and recommendations by certain deadlines;
21 providing for travel reimbursement; providing
22 exception; providing for termination of task force;
23 providing for codification; providing an effective
24 date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 92.8f of Title 20, unless there
is created a duplication in numbering, reads as follows:

1 There is hereby established one (1) judicial office in District
2 No. 7 for the purpose of providing a business court judge.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 92.15e of Title 20, unless there
5 is created a duplication in numbering, reads as follows:

6 There is hereby established one (1) judicial office in District
7 No. 14 for the purpose of providing a business court judge.

8 SECTION 3. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 91.7a of Title 20, unless there
10 is created a duplication in numbering, reads as follows:

11 A. There is hereby created the Task Force for the Study
12 of Business Courts.

13 B. The task force shall consist of eleven (11) members to be
14 appointed or selected as follows:

15 1. Five members to be appointed by the Governor, one of whom
16 shall be designated by the Governor as the chair of the task force;

17 2. Two members to be appointed by the Speaker of the Oklahoma
18 House of Representatives;

19 3. Two members to be appointed by the President Pro Tempore of
20 the Oklahoma State Senate;

21 4. One member to be appointed by the Chief Justice of the
22 Oklahoma Supreme Court; and

23 5. One member to be appointed by the Administrative Director of
24 the Courts.

1 C. The task force shall conduct an organizational meeting no
2 later than September 30, 2024. A majority of the members present at
3 the organizational meeting, or any subsequent meeting, shall
4 constitute a quorum for the purpose of any action except the vote on
5 the final report. A majority of the total membership of the task
6 force shall constitute a quorum for the purpose of voting on the
7 final report required by subsection H of this section.

8 D. The task force shall be authorized to meet as necessary in
9 order to perform the duties imposed on it.

10 E. The task force shall conduct a study to analyze the
11 implementation, effect, and impact of creating a Business Court
12 System in the State of Oklahoma. The study shall include but shall
13 not be limited to:

- 14 1. The existing Oklahoma court structure;
- 15 2. The examination and study of business court structures in
16 other states; and
- 17 3. Such other matters related to business courts as the task
18 force deems relevant.

19 F. Staff assistance for the task force shall be provided by the
20 staff of the Secretary of State.

21 G. The task force shall produce a preliminary written report
22 and a final written report of its findings and any recommendations
23 regarding the creation of business courts in this state which shall
24 include but not be limited to recommendations to determine:

- 1 1. Matters that shall and shall not be heard in the business
2 court;
- 3 2. The manner in which a business court judge may be selected;
- 4 3. The qualifications, salary, and term limit of a business
5 court judge, and the manner in which a business court judge shall be
6 replaced if a vacancy occurs;
- 7 4. Whether an office for a secretary-bailiff shall be created
8 for business court judges and the compensation of a secretary-
9 bailiff;
- 10 5. How proper venue is to be determined for a case on the
11 business court docket;
- 12 6. A dollar amount to determine which district shall have
13 jurisdiction over a business court case;
- 14 7. Whether the business court shall exercise supplemental
15 jurisdiction;
- 16 8. Whether the business court judge may transfer a matter to a
17 civil docket;
- 18 9. The manner in which the transfer of qualified cases to the
19 business court shall occur, if at all;
- 20 10. If a business court judge should be disqualified from
21 hearing a case, or whether recusal should be required, and the
22 manner in which a business court judge shall be replaced;
- 23 11. The procedure governing an appeal from the business court;
- 24 12. Whether the business court may conduct remote proceedings;

1 13. Filing costs for actions filed in the business court; and

2 14. Such other recommendations as the task force deems
3 relevant.

4 H. The preliminary report shall be submitted to the Governor,
5 the Speaker of the House of Representatives, and the President Pro
6 Tempore of the Senate not later than January 1, 2025. The final
7 report shall be submitted to the Governor, the Speaker of the House
8 of Representatives, and the President Pro Tempore of the Senate not
9 later than January 1, 2026.

10 I. Members of the task force shall be reimbursed for their
11 travel expenses from the resources of the appointing authority.
12 Members of the task force who are legislators shall not be eligible
13 to receive travel reimbursement.

14 J. The provisions of this section shall cease to have the force
15 and effect of law and the task force shall terminate effective
16 January 31, 2026.

17 SECTION 4. Sections 1 and 2 of this act shall become effective
18 July 1, 2026.

19 SECTION 5. It being immediately necessary for the preservation
20 of the public peace, health or safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

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24 59-2-3844 TEK 7/5/2024 11:41:57 PM