

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1129 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Ellen Pogemiller \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 PROPOSED OVERSIGHT  
4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1129

By: Pogemiller

7  
8 PROPOSED OVERSIGHT COMMITTEE SUBSTITUTE

9 An Act relating to court fees; amending 12 O.S. 2021,  
10 Section 1764, which relates to small claims court  
11 fees; increasing fee; and providing an effective  
12 date.

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

14 SECTION 1. AMENDATORY 12 O.S. 2021, Section 1764, is  
15 amended to read as follows:

16 Section 1764. A fee of ~~Forty-five Dollars (\$45.00)~~ Eighty-five  
17 Dollars (\$85.00) shall be charged and collected for the filing of  
18 the affidavit for the commencement of any action for an amount of  
19 Five Thousand Dollars (\$5,000.00) or less. Any action in excess of  
20 Five Thousand Dollars (\$5,000.00) shall be subject to the filing  
21 fees provided in Title 28 of the Oklahoma Statutes for the same kind  
22 of action as filed in district court. For the filing of any  
23 counterclaim or setoff, fees shall be charged and collected pursuant  
24 to Section 152.1 of Title 28 of the Oklahoma Statutes. Except as

1 otherwise provided in Section 1772 of this title, no other fee or  
2 charge shall be collected by any officer for any service rendered  
3 pursuant to the provisions of the Small Claims Procedure Act, or for  
4 the taking of affidavits for use in connection with any action tried  
5 pursuant to the provisions of the Small Claims Procedure Act. If  
6 the affidavit and order are served by the sheriff or a licensed  
7 private process server, the court clerk shall collect the usual fee  
8 for the sheriff, which shall be taxed as costs in the case. The fee  
9 paid to a licensed private process server, as approved by the court,  
10 shall be taxed as additional costs in the case. After judgment, the  
11 court clerk shall issue such process and shall be entitled to  
12 collect only such fees and charges as are allowed by law for like  
13 services in other actions. All fees collected as authorized by this  
14 section and Section 1772 of this title shall be deposited with other  
15 fees that are collected by the district court. Any statute  
16 providing for an award of attorney fees shall be applicable to the  
17 small claims division if the attorney makes an appearance in the  
18 case, whether before or after judgment or on hearing for disclosure  
19 of assets.

20 SECTION 2. This act shall become effective November 1, 2025.

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22 60-1-12831 JL 02/20/25

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