

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 1129

By: Pogemiller and Deck

6
7 COMMITTEE SUBSTITUTE

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

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

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

15 Section 1764. A fee of ~~Forty-five Dollars (\$45.00)~~ Eighty-five
16 Dollars (\$85.00) shall be charged and collected for the filing of
17 the affidavit for the commencement of any action for an amount of
18 Five Thousand Dollars (\$5,000.00) or less. Any action in excess of
19 Five Thousand Dollars (\$5,000.00) shall be subject to the filing
20 fees provided in Title 28 of the Oklahoma Statutes for the same kind
21 of action as filed in district court. For the filing of any
22 counterclaim or setoff, fees shall be charged and collected pursuant
23 to Section 152.1 of Title 28 of the Oklahoma Statutes. Except as
24 otherwise provided in Section 1772 of this title, no other fee or

1 charge shall be collected by any officer for any service rendered
2 pursuant to the provisions of the Small Claims Procedure Act, or for
3 the taking of affidavits for use in connection with any action tried
4 pursuant to the provisions of the Small Claims Procedure Act. If
5 the affidavit and order are served by the sheriff or a licensed
6 private process server, the court clerk shall collect the usual fee
7 for the sheriff, which shall be taxed as costs in the case. The fee
8 paid to a licensed private process server, as approved by the court,
9 shall be taxed as additional costs in the case. After judgment, the
10 court clerk shall issue such process and shall be entitled to
11 collect only such fees and charges as are allowed by law for like
12 services in other actions. All fees collected as authorized by this
13 section and Section 1772 of this title shall be deposited with other
14 fees that are collected by the district court. Any statute
15 providing for an award of attorney fees shall be applicable to the
16 small claims division if the attorney makes an appearance in the
17 case, whether before or after judgment or on hearing for disclosure
18 of assets.

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

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21 60-1-13021 JBH 02/27/25

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