

1 STATE OF OKLAHOMA

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

3 SUBCOMMITTEE RECOMMENDATION
4 FOR

5 HOUSE BILL NO. 2014

6 By: Pae

7 SUBCOMMITTEE RECOMMENDATION

8 An Act relating to civil procedure; amending 12 O.S.
9 2021, Section 921.1, which relates to Legal Services
10 Revolving Fund; expanding the scope of the funds for
11 representation of indigent person's forcible entry
12 and detainer actions; defining term; and providing an
13 effective date.

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

15 SECTION 1. AMENDATORY 12 O.S. 2021, Section 921.1, is
16 amended to read as follows:

17 Section 921.1. A. The Attorney General shall allocate funds
18 from the Legal Services Revolving Fund to provide legal
19 representation to indigent persons in this state in civil legal
20 matters to the extent that funds are available from the Legal
21 Services Revolving Fund. The Attorney General shall be responsible
22 for allocating these funds pursuant to contract with eligible
23 regional or statewide organizations which ordinarily render legal
24 services to indigent persons. The Attorney General may charge an
administrative fee for administering the contracts. The funds shall

1 be allocated for the benefit of indigent clients in all seventy-
2 seven (77) counties of the state on a pro rata basis, utilizing an
3 allocation formula that distributes funds according to the number of
4 residents whose incomes are less than the official United States
5 federal poverty guidelines, based on the United States census data,
6 as a percentage of the total number of these residents in this state
7 and which reserves funds for services for specialized areas of law.

8 B. As used in this section, "eligible organization" means an
9 entity that:

10 1. Is organized as a not-for-profit corporation that is tax
11 exempt pursuant to the provisions of paragraph (3) of subsection (c)
12 of Section 501 of the United States Internal Revenue Code of 1986,
13 as amended;

14 2. Has as its primary purpose the furnishing of legal
15 assistance to eligible clients;

16 3. Has a board of directors or other governing body the
17 majority of which is comprised of attorneys who are admitted to
18 practice in this state and who are approved to serve on such body by
19 the governing bodies of the state or county bar associations and has
20 at least one-third (1/3) of the membership who, when selected, are
21 eligible clients; and

22 4. Is incorporated pursuant to any applicable laws of this
23 state.

24

1 C. As a condition of the contract, the organization shall be
2 required to determine the eligibility of any person seeking legal
3 services pursuant to this section.

4 D. The Attorney General shall prepare annually and distribute
5 to the Judiciary committees of the Senate and the House of
6 Representatives and the Legal Services Committee of the Oklahoma Bar
7 Association a report detailing expenditures of funds for
8 representation to indigent persons in civil legal matters.

9 E. Each organization that contracts to provide legal services
10 pursuant to subsection A of this section shall maintain books and
11 records in accordance with generally accepted accounting principles.
12 The books and records shall account for the receipt and expenditure
13 of all funds paid pursuant to contract. Books and records shall be
14 maintained for a period of five (5) years from the close of the
15 fiscal year of the contract period. The State Auditor and Inspector
16 shall audit each organization annually. The necessary expense of
17 each audit, including, but not limited to, the cost of typing,
18 printing, and binding, shall be paid from funds of the organization.
19 In lieu of the audit by the State Auditor and Inspector, the
20 organization may submit an audit prepared by an independent auditing
21 firm for compliance with federal auditing requirements. A copy of
22 the audit prepared by or submitted to the State Auditor and
23 Inspector shall be submitted to the Attorney General.

1 F. Funds for representation of indigent persons in civil legal
2 matters shall be limited to family law legal services with priority
3 given to cases involving domestic and family violence and abuse and
4 to residential tenants in actions for forcible entry and detainer,
5 commonly known as evictions. In no event shall such funds ever be
6 used for any of the following activities:

7 1. Provision of legal services in a fee-generating case unless
8 appropriate private representation is not available;

9 2. Provision of legal services in any criminal proceeding;

10 3. Provision of legal services collaterally attacking the
11 validity of a criminal conviction;

12 4. Provision of legal services which seek to procure an
13 abortion;

14 5. Provision of legal representation relating to the
15 desegregation of any school or school system;

16 6. Provision of legal services involving any proceeding derived
17 from the Military Selective Service Act;

18 7. Provision of legal services to advocate for or oppose any
19 altering of a legislative, judicial, or elective district at any
20 level of government; and

21 8. Provision of legal services to challenge a census of the
22 United States of America.

23 G. For purposes of this section "indigent" means an income
24 level of not more than two hundred (200%) percent of the federal

1 poverty guidelines as most recently published in the Federal
2 Register.

3 H. There is hereby created in the State Treasury a revolving
4 fund for the Office of the Attorney General to be designated the
5 "Legal Services Revolving Fund". The fund shall be a continuing
6 fund, not subject to fiscal year limitations, and shall consist of
7 all monies received by the Office of the Attorney General for
8 indigent legal services from funds appropriated to the fund, federal
9 funds, gifts, donations, and grants. All monies accruing to the
10 credit of said fund are hereby appropriated and may be budgeted and
11 expended by the Attorney General for the purpose of providing legal
12 services to indigent clients pursuant to the provisions of this
13 section. Expenditures from said fund shall be made upon warrants
14 issued by the State Treasurer against claims filed as prescribed by
15 law with the Director of the Office of Management and Enterprise
16 Services for approval and payment.

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

18

19 60-1-12745 GRS 02/19/25

20

21

22

23

24