

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1129

By: Pogemiller and Deck of the  
House

and

**Rader** of the Senate

11                                   COMMITTEE SUBSTITUTE

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

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

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

21                   Section 1764. A fee of ~~Forty-five Dollars (\$45.00)~~ Eighty-five  
22 Dollars (\$85.00) shall be charged and collected for the filing of  
23 the affidavit for the commencement of any action for an amount of  
24 Five Thousand Dollars (\$5,000.00) or less. Any action in excess of

1 Five Thousand Dollars (\$5,000.00) shall be subject to the filing  
2 fees provided in Title 28 of the Oklahoma Statutes for the same kind  
3 of action as filed in district court. For the filing of any  
4 counterclaim or setoff, fees shall be charged and collected pursuant  
5 to Section 152.1 of Title 28 of the Oklahoma Statutes. Except as  
6 otherwise provided in Section 1772 of this title, no other fee or  
7 charge shall be collected by any officer for any service rendered  
8 pursuant to the provisions of the Small Claims Procedure Act, or for  
9 the taking of affidavits for use in connection with any action tried  
10 pursuant to the provisions of the Small Claims Procedure Act. If  
11 the affidavit and order are served by the sheriff or a licensed  
12 private process server, the court clerk shall collect the usual fee  
13 for the sheriff, which shall be taxed as costs in the case. The fee  
14 paid to a licensed private process server, as approved by the court,  
15 shall be taxed as additional costs in the case. After judgment, the  
16 court clerk shall issue such process and shall be entitled to  
17 collect only such fees and charges as are allowed by law for like  
18 services in other actions. All fees collected as authorized by this  
19 section and Section 1772 of this title shall be deposited with other  
20 fees that are collected by the district court. Any statute  
21 providing for an award of attorney fees shall be applicable to the  
22 small claims division if the attorney makes an appearance in the  
23 case, whether before or after judgment or on hearing for disclosure  
24 of assets.

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

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3 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY  
4 OVERSIGHT, dated 03/03/2025 - DO PASS, As Amended and Coauthored.  
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