

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. 1564

By: Duel of the House

and

Howard of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to civil procedure; creating the
12 Oklahoma Expedited Actions Act; providing for
13 application of expedited actions process; providing
14 for recovery; providing process for removal of case
15 from expedited actions process; providing process for
16 governing discovery; providing for trial setting;
17 providing time limits for trial; providing
18 definition; providing alternative dispute resolution;
19 providing for challenging admissibility of expert
20 testimony; providing for codification; and providing
21 an effective date.

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

23 SECTION 1. NEW LAW A new section of law to be codified
24 in the Oklahoma Statutes as Section 1775 of Title 12, unless there
25 is created a duplication in numbering, reads as follows:

 Section 1775 et seq. shall be known and may be cited as the
 "Oklahoma Expedited Actions Act".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1776 of Title 12, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The expedited actions process provided for in Section 1 of
5 this act applies to a suit in which all claimants, other than
6 counter-claimants, affirmatively plead that they seek only monetary
7 relief aggregating Two Hundred Fifty Thousand Dollars (\$250,000.00)
8 or less, excluding interest, statutory or punitive damages and
9 penalties, and attorney fees and costs.

10 B. In no event may a party who prosecutes a suit under this act
11 recover a judgment in excess of Two Hundred Fifty Thousand Dollars
12 (\$250,000.00), excluding interest, statutory or punitive damages and
13 penalties, and attorney fees and costs.

14 SECTION 3. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1777 of Title 12, unless there
16 is created a duplication in numbering, reads as follows:

17 A. A court shall remove a suit from the expedited actions
18 process:

- 19 1. On motion and a showing of good cause by any party; or
- 20 2. If any claimant, other than a counter-claimant, files a
21 pleading or an amended or supplemental pleading that seeks any
22 relief other than the monetary relief allowed by Section 2 of this
23 act.

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1 B. A pleading, amended pleading, or supplemental pleading that
2 removes a suit from the expedited actions process may not be filed
3 without leave of court unless it is filed before the earlier of
4 thirty (30) days after the discovery period is closed or thirty (30)
5 days before the date is set for trial. Leave to amend may be
6 granted only if good cause for filing the pleading outweighs any
7 prejudice to an opposing party.

8 C. If a suit is removed from the expedited actions process, the
9 court shall reopen discovery.

10 SECTION 4. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 1778 of Title 12, unless there
12 is created a duplication in numbering, reads as follows:

13 A. Every case that follows the expediated actions process shall
14 be governed by the discovery control plan provided for in this
15 Section. Discovery is subject to the limitations provided for in
16 Section 3226 of Title 12 of the Oklahoma Statutes and to the
17 following additional limitations:

18 1. In a suit not governed by Title 43 of the Oklahoma
19 Statutes, all discovery must be conducted during the discovery
20 period, which begins when the first initial disclosures are due and
21 continues for one hundred eighty (180) days. In a suit governed by
22 Title 43 of the Oklahoma Statutes, all discovery must be conducted
23 during the discovery period, which begins when the suit is filed and
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1 continues until one hundred eighty (180) days after the first
2 request for discovery of any kind is served on a party;

3 2. Each party may have no more than twenty (20) hours in total
4 to examine and cross-examine all witnesses in oral depositions. The
5 court may modify the deposition hours so that no party is given
6 unfair advantage;

7 3. Any party may serve on any other party no more than fifteen
8 (15) written interrogatories, excluding interrogatories asking a
9 party only to identify or authenticate specific documents. Each
10 discrete subpart of an interrogatory is considered a separate
11 interrogatory;

12 4. Any party may serve on any other party no more than fifteen
13 (15) written requests for production. Each discrete subpart of a
14 request for production is considered a separate request for
15 production; and

16 5. Any party may serve on any other party no more than fifteen
17 (15) written requests for admissions. Each discrete subpart of a
18 request for admission is considered a separate request for
19 admission.

20 B. If a suit is removed from the expedited actions process or,
21 in a divorce, the filing of a pleading renders this subdivision no
22 longer applicable, the discovery period reopens, and discovery must
23 be completed within the limitations provided in Section 3226 of
24 Title 12 of the Oklahoma Statutes. Any person previously deposed

1 may be redeposed. On motion of any party, the court should continue
2 the trial date if necessary to permit completion of discovery.

3 SECTION 5. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 1779 of Title 12, unless there
5 is created a duplication in numbering, reads as follows:

6 On any party's request, the court shall set the case for a trial
7 date that is within ninety (90) days after the discovery period
8 ends. The court may continue the case twice, not to exceed a total
9 of sixty (60) days.

10 SECTION 6. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 1780 of Title 12, unless there
12 is created a duplication in numbering, reads as follows:

13 A. Each side is allowed no more than eight (8) hours to
14 complete jury selection, opening statements, presentation of
15 evidence, examination and cross-examination of witnesses, and
16 closing arguments. On motion and a showing of good cause by any
17 party, the court may extend the time limit to no more than twelve
18 (12) hours per side.

19 B. The term "side" is not synonymous with "party", "litigant",
20 or "person". Rather, "side" means one or more litigants who have
21 common interests on the matters with which the jury is concerned.

22 C. Time spent on objections, bench conferences, bills of
23 exception, and challenges for cause to a juror are not included in
24 the time limit.

1 SECTION 7. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1781 of Title 12, unless there
3 is created a duplication in numbering, reads as follows:

4 A. Unless the parties have agreed not to engage in alternative
5 dispute resolution, the court may refer the case to an alternative
6 dispute resolution procedure once, and the procedure shall:

7 1. Not exceed a half-day in duration, excluding scheduling
8 time;

9 2. Not exceed a total cost of twice the amount of applicable
10 civil filing fees; and

11 3. Be completed no later than sixty (60) days before the
12 initial trial setting.

13 B. The court shall consider objections to the referral unless
14 prohibited by statute.

15 C. The parties may agree to engage in alternative dispute
16 resolution other than that provided for in subsection A of this
17 section.

18 SECTION 8. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1782 of Title 12, unless there
20 is created a duplication in numbering, reads as follows:

21 Unless requested by the party sponsoring the expert, a party may
22 only challenge the admissibility of expert testimony as an objection
23 to summary judgment evidence during a pretrial conference or during
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1 the trial on the merits. This section does not apply to a motion to
2 strike for late designation.

3 SECTION 9. This act shall become effective November 1, 2025.

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5 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
6 OVERSIGHT, dated 03/04/2025 - DO PASS, As Amended and Coauthored.

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