

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 276

By: Rader

AS INTRODUCED

An Act relating to law libraries; amending 20 O.S. 2021, Sections 1224 and 1226, which relate to Law Library Fund; requiring vote by board of trustees in certain counties for transmission of certain funds; modifying requirements for certain transfers; amending 28 O.S. 2021, Section 152, as amended by Section 1, Chapter 237, O.S.L. 2022 (28 O.S. Supp. 2024, Section 152), which relates to civil court flat fee schedule; modifying certain assessments; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 20 O.S. 2021, Section 1224, is amended to read as follows:

Section 1224. On August 1 each year:

1. ~~the~~ The board of trustees of a county having a population of less than five hundred thousand (500,000) according to the latest Federal Decennial Census shall transmit to the Supreme Court for deposit in the State Judicial Revolving Fund all funds on deposit in the ~~law library fund~~ Law Library Fund in excess of twenty-five percent (25%) of the income to such ~~Fund~~ fund during the preceding

1 fiscal year, ~~the existing surplus on hand on the effective date of~~
2 ~~this act being excluded;~~ and

3 2. The board of trustees of a county having a population of
4 five hundred thousand (500,000) or more according to the latest
5 Federal Decennial Census shall vote whether to retain all funds on
6 deposit in the Law Library Fund in excess of twenty-five percent
7 (25%) of the income to such fund during the preceding fiscal year or
8 authorize the same, in whole or in part, to be transmitted to the
9 Supreme Court for deposit in the State Judicial Revolving Fund.

10 SECTION 2. AMENDATORY 20 O.S. 2021, Section 1226, is
11 amended to read as follows:

12 Section 1226. A. ~~At the request of the board of trustees of~~
13 ~~the law library in a county having a population of three hundred~~
14 ~~thousand (300,000) or more, the presiding judge of an administrative~~
15 ~~district, with the approval of the Chief Justice of the Supreme~~
16 ~~Court, shall be authorized to transfer up to Ten Thousand Dollars~~
17 ~~(\$10,000.00) per fiscal year from the court fund of the county in~~
18 ~~which the law library is located to the Law Library Fund of that~~
19 ~~county.~~

20 B. In counties having a population of less than ~~three hundred~~
21 ~~thousand (300,000)~~ five hundred thousand (500,000), the court fund
22 of the county in which a law library is located shall annually
23 transfer to the Law Library Revolving Fund the following amounts:
24

1 1. In counties having a population of less than ten thousand
2 (10,000), the sum of Five Thousand Dollars (\$5,000.00); and

3 2. In counties having a population of ten thousand (10,000) or
4 more, but less than thirty thousand (30,000), the sum of Seven
5 Thousand Dollars (\$7,000.00); and

6 3. In counties having a population of thirty thousand (30,000)
7 or more, but less than ~~three hundred thousand (300,000)~~ five hundred
8 thousand (500,000), the sum of Nine Thousand Dollars (\$9,000.00).

9 SECTION 3. AMENDATORY 28 O.S. 2021, Section 152, as
10 amended by Section 1, Chapter 237, O.S.L. 2022 (28 O.S. Supp. 2024,
11 Section 152), is amended to read as follows:

12 Section 152. A. In any civil case filed in a district court,
13 the court clerk shall collect, at the time of filing, the following
14 flat fees, none of which shall ever be refundable, and which shall
15 be the only charge for court costs, except as is otherwise
16 specifically provided for by law:

- 17 1. Actions for divorce, alimony without divorce,
18 separate maintenance, custody or support.....\$183.00
- 19 2. Any ancillary proceeding to modify or vacate
20 a divorce decree providing for custody or support.....\$43.00
- 21 3. Probate and guardianship.....\$135.00
- 22 4. Annual guardianship report.....\$33.00

- 1 5. Any proceeding for sale or lease of real or
- 2 personal property or mineral interest in probate or
- 3 guardianship.....\$43.00
- 4 6. Any proceeding to revoke the probate of a
- 5 will.....\$43.00
- 6 7. Judicial determination of death.....\$58.00
- 7 8. Adoption.....\$105.00
- 8 9. Civil actions for an amount of Ten Thousand
- 9 Dollars (\$10,000.00) or less and condemnation.....\$150.00
- 10 10. Civil actions for an amount of Ten Thousand
- 11 One Dollars (\$10,001.00) or more\$163.00
- 12 11. Garnishment.....\$23.00
- 13 12. Continuing wage garnishment.....\$63.00
- 14 13. Any other proceeding after judgment.....\$33.00
- 15 14. All others, including but not limited to, l
- 16 actions for forcible entry and detainer, judgments
- 17 from all other courts, including the Workers'
- 18 Compensation Court.....\$85.00
- 19 15. Notice of renewal of judgment.....\$23.00
- 20 B. In addition to the amounts collected pursuant to paragraphs
- 21 1, 3, 7, 8, 9, 10, l and 14 of subsection A of this section 7:
- 22 1. In counties having a population of less than five hundred
- 23 thousand (500,000) according to the latest Federal Decennial Census,

1 the sum of Six Dollars (\$6.00) shall be assessed and credited to the
2 Law Library Fund; and

3 2. In counties having a population of five hundred thousand
4 (500,000) or more according to the latest Federal Decennial Census,
5 the sum of Twelve Dollars (\$12.00) shall be assessed and credited to
6 the Law Library Fund pursuant to Section 1201 et seq. of Title 20 of
7 the Oklahoma Statutes.

8 C. In addition to the amounts collected pursuant to subsections
9 A and B of this section, the sum of Twenty-five Dollars (\$25.00)
10 shall be assessed and credited to the Oklahoma Court Information
11 System Revolving Fund created pursuant to Section 1315 of Title 20
12 of the Oklahoma Statutes.

13 D. In addition to the amounts collected pursuant to subsection
14 A of this section, the sum of Five Dollars (\$5.00) shall be assessed
15 and credited to the Oklahoma court-appointed special advocates
16 (OCASA).

17 E. In addition to the amounts collected pursuant to subsection
18 A of this section, the sum of Two Dollars (\$2.00) shall be assessed
19 and credited as follows:

20 1. One Dollar and fifty-five cents (\$1.55) of such amount shall
21 be credited to the Council on Judicial Complaints Revolving Fund;
22 and

23 2. Forty-five cents (\$0.45) of such amount shall be credited to
24 the Supreme Court Revolving Fund and may be budgeted and expended by

1 the Supreme Court for expenses lawfully incurred for providing
2 qualified courtroom interpreter services in the district courts, for
3 credentialing and training Oklahoma courtroom interpreters, and for
4 any other expenditures determined by the Supreme Court to be
5 necessary to provide language access in the district courts as
6 required by state and federal law. Payments of expenses may be made
7 after the claim or expense is approved by the Chief Justice of the
8 Supreme Court or another justice designated by the Chief Justice.

9 F. In addition to the amounts collected pursuant to paragraphs
10 1, 3, 8, 9, 10, and 14 of subsection A of this section, each county
11 may assess, upon approval by the board of county commissioners, a
12 sum not to exceed Ten Dollars (\$10.00) per case to be credited to
13 the Sheriff's Service Fee Account in the county in which the action
14 arose for the purpose of enhancing existing or providing additional
15 courthouse security.

16 G. Until November 1, 2027, in addition to the amounts collected
17 pursuant to subsection A of this section, the sum of Ten Dollars
18 (\$10.00) shall be assessed and credited to the Court Clerk's Records
19 Management and Preservation Fund created in Section 31.3 of this
20 title.

21 H. In any case in which a litigant claims to have a just cause
22 of action and that, by reason of poverty, the litigant is unable to
23 pay the fees and costs provided for in this section and is
24 financially unable to employ counsel, upon the filing of an

1 affidavit in forma pauperis executed before any officer authorized
2 by law to administer oaths to that effect and upon satisfactory
3 showing to the court that the litigant has no means and is,
4 therefore, unable to pay the applicable fees and costs and to employ
5 counsel, no fees or costs shall be required. The opposing party or
6 parties may file with the court clerk of the court having
7 jurisdiction of the cause an affidavit similarly executed
8 contradicting the allegation of poverty. In all such cases, the
9 court shall promptly set for hearing the determination of
10 eligibility to litigate without payment of fees or costs. Until a
11 final order is entered determining that the affiant is ineligible,
12 the clerk shall permit the affiant to litigate without payment of
13 fees or costs. Any litigant executing a false affidavit or counter
14 affidavit pursuant to the provisions of this section shall be guilty
15 of perjury.

16 I. Payments to the court clerk for fees and costs assessed
17 pursuant to this section may be made by a nationally recognized
18 credit or debit card or other electronic payment method as provided
19 in paragraph 1 of subsection B of Section 151 of this title.

20 SECTION 4. This act shall become effective November 1, 2025.

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