

An Act relating to civil procedure; providing for determination of attorney fees in class actions; establishing venue for certain civil actions; amending 12 O.S. 2001, Sections 683 and 684, which relate to dismissal of actions; providing exception to certain dismissal of action provisions; providing for dismissal of medical liability actions; amending 12 O.S. 2001, Section 727, which relates to interest on judgment; limiting application of statute to certain dates; providing for postjudgment and prejudgment interest beginning on a certain date; establishing rate of interest; providing that procedure and rate apply on and after a certain date; providing for indemnification of sellers in product liability actions; defining term; providing who is considered a seller; providing scope of duty to indemnify; providing for notice; providing for recovery of certain costs, expenses, fees and damages; limiting scope of application; amending 12 O.S. 2001, Section 990.4, which relates to stay of enforcement of judgment and appeal bonds; authorizing the court to lower the amount of appeal bond in certain circumstances; defining term; prohibiting lowering of appeal bond to the extent an insurance policy or third party is liable to satisfy part or all of judgment; requiring the court to enjoin the judgment debtor from dissipating or transferring assets to avoid satisfaction of the judgment; prohibiting the court from issuing order that interferes with use of assets in the normal course of business; amending 12 O.S. 2001, Section 2011, which relates to pleadings; requiring monetary sanctions for certain violations; authorizing other sanctions; amending 12 O.S. 2001, Sections 2020 and 2021, which relate to joinder of parties; requiring the court to consider fair and convenient forum in determining whether to allow joinder and nonjoinder of parties; amending 12 O.S. 2001, Section 3226, as amended by Section 73, Chapter 468, O.S.L. 2002 (12 O.S. Supp. 2003, Section 3226), which relates to discovery; modifying reasons for protective orders; providing for protective orders for abusive discovery; providing for award of certain expenses relating to motions for abusive discovery; authorizing the creation of a Judicial Panel on Multidistrict Litigation; authorizing composition; providing for appointment; providing duties and powers of the Panel; providing for effect of rulings; authorizing transfer or stays in certain circumstances; providing for duration of transfers and stays; providing for authority of judge to whom an action is transferred; providing for promulgation of rules; amending 20 O.S. 2001, Section 91.2, which relates to dockets; providing for a business court docket; stating legislative findings; authorizing the Supreme Court to establish a business court division within certain district courts; providing for promulgation of rules; making joint tortfeasors severally liable; providing circumstances in which the liability of a defendant is joint and several; providing exclusions of applications; providing for application to civil actions filed on or after a certain date; amending 51 O.S. 2001, Section 152, as last amended by Section 1 of Enrolled House Bill No. 2263 of the 2nd Session of the 49th Oklahoma Legislature; modifying definition; amending Sections 1 and 6, Chapter 390, O.S.L. 2003 (63 O.S. Supp. 2003, Sections 1-1708.1A and 1-1708.1F), which relate to the Affordable Access to Health Care Act; modifying short title; extending date of applicability of limits on certain noneconomic damages; establishing limits on certain noneconomic damages under certain circumstances; providing for adjustment for inflation; defining term; providing circumstances under which limitation on damages does not apply; providing for an additional form of verdict and procedure for use; providing that limitation does not apply to actions for wrongful death; providing termination date for certain section of law; providing for application to civil actions filed on or after a certain date; providing that

certain statements, affirmations, gestures or conduct are inadmissible in medical liability actions; defining terms; requiring the court to apply certain criteria in determining if an expert witness is qualified to offer expert testimony in medical liability actions; allowing defendant health care provider or employee to qualify as expert witness; amending 2 O.S. 2001, Section 16-71, which relates to property owners and liability for recreational activity; modifying and adding definitions; updating language; providing for applicability of section; amending 76 O.S. 2001, Sections 10, 11, 12, 13, 14, 15 and 15.1, which relate to liability of property owners related to recreational activity; creating the Oklahoma Limitation of Liability for Farming and Ranching Land Act; providing short title; providing purpose; providing for applicability of Oklahoma Limitation of Liability for Farming and Ranching Land Act; modifying and adding definitions; updating and clarifying contents; specifying when liability attaches; providing limits of liability; modifying when liability exists; prohibiting certain persons who have executed a written release of liability or a waiver to sue from maintaining an action or recovering damages; removing certain liability for charges for uses; providing that owners, lessees and occupants of real property or any structures or improvements thereto do not owe duty of care or duty to give certain warning; providing for immunity from civil liability; limiting scope of immunity; creating the Volunteer Medical Professional Services Immunity Act; providing short title; providing immunity for volunteer medical professionals from civil liability in certain circumstances; limiting scope of immunity; defining term; providing immunity from civil liability for persons participating in a Medical Reserve Corps in certain circumstances; providing for application to civil actions filed on or after a certain date; creating the Registration of Out-of-State Attorneys Act; providing short title; providing for application of the Registration of Out-of-State Attorneys Act; providing for written application to appear as counsel if certain conditions are met; providing conditions for an out-of-state attorney to appear in an action or proceeding; providing registration procedure; requiring payment of an application fee; providing for application forms; requiring certain information; providing for action by the Oklahoma Bar Association; requiring registration with the Oklahoma Tax Commission; requiring annual disclosure of certain income; requiring withholding from certain income and remittance to the Oklahoma Tax Commission; requiring the Oklahoma Tax Commission to provide verification of registration; requiring the Oklahoma lawyer associated with the applicant to file motion to associate; requiring the motion to include certain exhibits and proposed order; requiring copies of the order granting or denying the motion to be served on the Oklahoma Bar Association and the Oklahoma Tax Commission; requiring Oklahoma attorney to appear as attorney of record and consent in writing to the association; prohibiting an applicant from appearing in a proceeding until an order granting the motion to associate is entered; making granting or denial of a motion to associate discretionary; authorizing revocation of authority to appear as counsel pursuant to the Registration of Out-of-State Attorneys Act; making repeated appearances under the Registration of Out-of-State Attorneys Act grounds for denial of the motion to associate; providing for certain presumptions; providing burden of proof; providing for extension of right to associate; providing for transfer of authority to associate if venue is transferred or if the action is appealed; authorizing court having jurisdiction over transferred case or appeal to revoke the authority of the out-of-state attorney to appear; providing for appearances in appellate courts; requiring annual certification and renewal fee; providing

for suspension of out-of-state attorney for failure to file required affidavit and renewal fee; providing for notification; providing for withdrawal of association with Oklahoma counsel; authorizing reinstatement, subject to payment of a reinstatement fee; authorizing the Oklahoma Bar Association to waive fees if the applicant is providing pro bono services; requiring filing of an application for waiver; requiring the Oklahoma Bar Association to file an annual report; providing contents of report; requiring the report to be kept on file at the Bar Association and made available to the public during normal business hours; requiring that a copy be provided to the Chief Justice of the Oklahoma Supreme Court; providing that out-of-state counsel is subject to the jurisdiction of the courts and disciplinary boards of this state; providing requirements for the Oklahoma attorney of record; amending 36 O.S. 2001, Section 312.1, as amended by Section 1, Chapter 315, O.S.L. 2003 (36 O.S. Supp. 2003, Section 312.1), which relates to report, disbursement and appropriation of taxes; directing disbursement and appropriation of certain taxes and fines; expressing legislative intent; amending 36 O.S. 2001, Sections 1509 and 1530, which relate to increase of inadequate reserves and exemptions from Risk-Based Capital for Insurers Act; providing for moratorium on application of certain requirements; requiring certain policy notice; creating the Oklahoma Medical Professionals Liability Trusts Act; providing short title; providing definitions; providing conditions, requirements, duties and limitations of authority to create certain trusts; providing for exemption from certain statutory requirements; requiring filing of certain items by certain trusts; requiring payment of certain taxes and fees; providing penalties; setting forth requirements for certain trust instruments; defining adequate reserves and surplus; prohibiting participation by trust in certain entities; providing for annual review of certain trust documents and activities; providing for report of annual review; allowing promulgation of emergency rules; providing for codification; providing for recodification; providing effective dates; and declaring an emergency.