

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4

February 20, 2019

**AS AMENDED**

SENATE BILL NO. 694

By: Thompson

[ court funds - collection and disposition of court costs and fees - Dispute Resolution System Revolving Fund - Supreme Court Revolving Fund - deposit of fees - codification - ~~effective date~~ -

~~emergency~~ ]

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

SECTION 1. AMENDATORY 12 O.S. 2011, Section 1809, as amended by Section 1, Chapter 362, O.S.L. 2016 (12 O.S. Supp. 2018, Section 1809), is amended to read as follows:

Section 1809. A. ~~1.~~ To establish and maintain an alternative dispute resolution system, court costs in the amount of Seven Dollars (\$7.00) shall be taxed, collected, and paid as other court costs in all civil cases. ~~When dispute resolution services are sought, a fee in the amount of Five Dollars (\$5.00) shall be assessed by the center and collected from the initiating party. If the responding party agrees to participate in mediation of the dispute, a fee of Five Dollars (\$5.00) shall be assessed by the center and collected from the responding party.~~

1 The fee of an initiating or responding party shall be waived by  
2 the center upon receipt of an affidavit in forma pauperis executed  
3 under oath by such party.

4 ~~2. Except for the court costs and fees provided for in this~~  
5 ~~subsection, dispute resolution services shall be provided without~~  
6 ~~cost to participants.~~

7 B. The court costs and fees provided for in subsection A of  
8 this section, once collected, shall be transferred by the court  
9 clerk to the Director who shall deposit them in the ~~State Judicial~~  
10 Dispute Resolution System Revolving Fund referenced in Section 2 of  
11 this act.

12 SECTION 2. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 12 of Title 1809.1, unless there  
14 is created a duplication in numbering, reads as follows:

15 There is hereby created in the State Treasury a revolving fund  
16 for the Supreme Court to be designated the "Dispute Resolution  
17 System Revolving Fund". The fund shall be a continuing fund, not  
18 subject to fiscal year limitations, and shall consist of all monies  
19 collected pursuant to Section 1809 of Title 12 of the Oklahoma  
20 Statutes. All monies accruing to the credit of the fund are hereby  
21 appropriated and shall be budgeted and expended by the Supreme Court  
22 as necessary to perform the duties imposed upon the Supreme Court to  
23 administer the Dispute Resolution Act by law.

1       SECTION 3.       AMENDATORY       20 O.S. 2011, Section 72, is  
2 amended to read as follows:

3       Section 72. The Clerk of the Supreme Court shall, on the first  
4 Monday of January, April, July and October of each year, make out  
5 and present to the Administrative Director an itemized and verified  
6 report of all fees earned and collected by ~~him~~ the clerk during the  
7 preceding quarter, and shall transfer all monies so earned to the  
8 State Treasurer for deposit in the ~~State Judicial~~ Supreme Court  
9 Revolving Fund.

10       SECTION 4.       AMENDATORY       20 O.S. 2011, Section 73.5, is  
11 amended to read as follows:

12       Section 73.5. From and after ~~the effective date of this act~~  
13 January 1, 1954, the new opinions of the Supreme Court, the Court of  
14 Criminal Appeals and the Court of Appeals shall be promptly  
15 furnished, at a cost of twenty-five cents (\$0.25) per page, to any  
16 person, firm or corporation who shall request same in writing to the  
17 Clerk of the Supreme Court for the purpose of publishing, editing  
18 and binding ~~said~~ the opinions. For any other purpose, other  
19 persons, firms or corporations shall be furnished, upon request in  
20 writing to the Clerk of the Supreme Court, copies of ~~said~~ the  
21 opinions, or any instrument of record or other record filed with the  
22 Clerk of the Supreme Court, at that fee mandated by Section 31 of  
23 Title 28 of the Oklahoma Statutes, for the copying of any instrument  
24 of record or on file. Provided however, ~~said~~ the opinions shall be

1 furnished free of cost to the litigants involved, and to the  
2 Oklahoma Bar Association for any official publication of ~~said~~ the  
3 Association.

4 All monies collected by the Clerk of the Supreme Court for ~~said~~  
5 the opinions and other copies shall be by ~~said~~ the Clerk deposited  
6 monthly to the credit of the ~~State-Judicial~~ Supreme Court Revolving  
7 Fund of the State of Oklahoma.

8 SECTION 5. AMENDATORY 20 O.S. 2011, Section 1310.1, as  
9 last amended by Section 2, Chapter 12, O.S.L. 2017 (20 O.S. Supp.  
10 2018, Section 1310.1), is amended to read as follows:

11 Section 1310.1. A. There is hereby created in the State  
12 Treasury a revolving fund for the Supreme Court, to be designated  
13 the "Supreme Court Revolving Fund". The fund shall be a continuing  
14 fund, not subject to fiscal year limitations, and shall consist of  
15 monies appropriated by the Legislature for the purposes specified in  
16 this section and fees collected pursuant to Sections 72, 73.5, 1506  
17 and 1707 of this title. All monies accruing to the credit of ~~said~~  
18 the fund are hereby appropriated and may be budgeted and expended by  
19 the Supreme Court for refunds to bondsmen and for the purpose of  
20 paying expenses authorized by Section 1809 of Title 12 of the  
21 Oklahoma Statutes, Sections 103.1, 1311, 1507, 1660 and 1707 of this  
22 title, and Sections 562 and 1355.13A of Title 22 of the Oklahoma  
23 Statutes, and to make any other expenditures determined by the  
24 Supreme Court to be necessary due to unforeseen emergencies

1 impacting the operation of state courts, as well as recurring and  
2 nonrecurring expenditures to perform the duties imposed upon the  
3 Supreme Court or Court of Civil Appeals by law. Expenditures from  
4 ~~said~~ the fund shall be made upon warrants issued by the State  
5 Treasurer against claims filed as prescribed by law with the  
6 Director of the Office of Management and Enterprise Services for  
7 approval and payment.

8 B. Until June 30, 2018, the Office of Management and Enterprise  
9 Services shall at the request of the Administrative Director of the  
10 Courts, transfer any monies from the Supreme Court Revolving Fund to  
11 the Supreme Court Administrative Revolving Fund or the Interagency  
12 Reimbursement Fund as necessary to perform the duties imposed upon  
13 the Supreme Court, Court of Civil Appeals and district courts by  
14 law.

15 SECTION 6. AMENDATORY 20 O.S. 2011, Section 1507, is  
16 amended to read as follows:

17 Section 1507. All fees authorized to be charged shall be paid  
18 to the Clerk of the Supreme Court who shall deposit them in the  
19 ~~State Judicial~~ Supreme Court Revolving Fund. The Chief Justice  
20 shall be authorized to draw against the Supreme Court Revolving Fund  
21 such amounts as are lawfully claimed by the Board for its necessary  
22 supplies and expenses. When performing essential duties each Board  
23 member shall be entitled to his or her actual expenses and shall  
24 receive, in addition thereto, the sum of Fifty Dollars (\$50.00) for

1 each full day of service or a fraction thereof for less than a day's  
2 service.

3 ~~SECTION 7. This act shall become effective July 1, 2019.~~

4 ~~SECTION 8. It being immediately necessary for the preservation~~  
5 ~~of the public peace, health or safety, an emergency is hereby~~  
6 ~~declared to exist, by reason whereof this act shall take effect and~~  
7 ~~be in full force from and after its passage and approval.~~

8 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
9 February 20, 2019 - DO PASS AS AMENDED  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24