

1 ENGROSSED SENATE AMENDMENT  
TO  
2 ENGROSSED HOUSE  
BILL NO. 3039

By: Stinson of the House  
and  
Rader of the Senate

[ law library fees - amount of transfers to Law  
Library Fund - transfer of surplus funds from Law  
Library Fund - board of trustees - civil court flat  
fee schedule - assessed amount for counties -  
effective date ]

AMENDMENT NO. 1. Page 1, restore the title

Passed the Senate the 23rd day of April, 2024.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2024.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

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2 BILL NO. 3039

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11  
12

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

14 SECTION 1. AMENDATORY 20 O.S. 2021, Section 1226, is  
15 amended to read as follows:

16 Section 1226. ~~A. At the request of the board of trustees of~~  
17 ~~the law library in a county having a population of three hundred~~  
18 ~~thousand (300,000) or more, the presiding judge of an administrative~~  
19 ~~district, with the approval of the Chief Justice of the Supreme~~  
20 ~~Court, shall be authorized to transfer up to Ten Thousand Dollars~~  
21 ~~(\$10,000.00) per fiscal year from the court fund of the county in~~  
22 ~~which the law library is located to the Law Library Fund of that~~  
23 ~~county.~~  
24

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

5       1. In counties having a population of less than ten thousand  
6 (10,000), the sum of Five Thousand Dollars (\$5,000.00); and

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

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

13       SECTION 2.       AMENDATORY       20 O.S. 2021, Section 1224, is  
14 amended to read as follows:

15       Section 1224. On August 1 each year the board of trustees shall  
16 transmit to the Supreme Court for deposit in the State Judicial  
17 Revolving Fund all funds on deposit in the law library fund in  
18 excess of twenty-five percent (25%) of the income to such Fund  
19 during the preceding fiscal year, the existing surplus on hand on  
20 the effective date of this act being excluded. Except for counties  
21 having a population of over five hundred thousand (500,000)  
22 according to the most recent Federal Decennial Census, the board of  
23 trustees shall vote to authorize any funds to the Court Fund.  
24

1       SECTION 3.       AMENDATORY       28 O.S. 2021, Section 152, as  
2 amended by Section 1, Chapter 237, O.S.L. 2022 (28 O.S. Supp. 2023,  
3 Section 152), is amended to read as follows:  
4       Section 152. A. In any civil case filed in a district court,  
5 the court clerk shall collect, at the time of filing, the following  
6 flat fees, none of which shall ever be refundable, and which shall  
7 be the only charge for court costs, except as is otherwise  
8 specifically provided for by law:  
9       1. Actions for divorce, alimony without divorce,  
10 separate maintenance, custody or support.....\$183.00  
11       2. Any ancillary proceeding to modify or vacate  
12 a divorce decree providing for custody or support.....\$43.00  
13       3. Probate and guardianship.....\$135.00  
14       4. Annual guardianship report.....\$33.00  
15       5. Any proceeding for sale or lease of real or  
16 personal property or mineral interest in probate or  
17 guardianship.....\$43.00  
18       6. Any proceeding to revoke the probate of a  
19 will.....\$43.00  
20       7. Judicial determination of death.....\$58.00  
21       8. Adoption.....\$105.00  
22       9. Civil actions for an amount of Ten Thousand  
23 Dollars (\$10,000.00) or less and condemnation.....\$150.00  
24

1	10. Civil actions for an amount of Ten Thousand One Dollars	
2	(\$10,001.00) or more .....	\$163.00
3	11. Garnishment.....	\$23.00
4	12. Continuing wage garnishment.....	\$63.00
5	13. Any other proceeding after judgment.....	\$33.00
6	14. All others, including but not limited to actions for	
7	forcible entry and detainer, judgments from all other courts,	
8	including the Workers' Compensation Court.....	\$85.00
9	15. Notice of renewal of judgment.....	\$23.00

10 B. In addition to the amounts collected pursuant to paragraphs  
11 1, 3, 7, 8, 9, 10 and 14 of subsection A of this section, in  
12 counties having a population of less than five hundred thousand  
13 (500,000) according to the most recent Federal Decennial Census, the  
14 sum of Six Dollars (\$6.00) shall be assessed and credited to the Law  
15 Library Fund. For counties having a population of over five hundred  
16 thousand (500,000) according to the most recent Federal Decennial  
17 Census, the sum of Twelve Dollars (\$12.00) shall be assessed and  
18 credited to the Law Library Fund pursuant to Section 1201 et seq. of  
19 Title 20 of the Oklahoma Statutes.

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

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

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

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

11 2. Forty-five cents (\$0.45) of such amount shall be credited to  
12 the Supreme Court Revolving Fund and may be budgeted and expended by  
13 the Supreme Court for expenses lawfully incurred for providing  
14 qualified courtroom interpreter services in the district courts, for  
15 credentialing and training Oklahoma courtroom interpreters, and for  
16 any other expenditures determined by the Supreme Court to be  
17 necessary to provide language access in the district courts as  
18 required by state and federal law. Payments of expenses may be made  
19 after the claim or expense is approved by the Chief Justice of the  
20 Supreme Court or another justice designated by the Chief Justice.

21 F. In addition to the amounts collected pursuant to paragraphs  
22 1, 3, 8, 9, 10 and 14 of subsection A of this section, each county  
23 may assess, upon approval by the board of county commissioners, a  
24 sum not to exceed Ten Dollars (\$10.00) per case to be credited to

1 the Sheriff's Service Fee Account in the county in which the action  
2 arose for the purpose of enhancing existing or providing additional  
3 courthouse security.

4 G. Until November 1, 2027, in addition to the amounts collected  
5 pursuant to subsection A of this section, the sum of Ten Dollars  
6 (\$10.00) shall be assessed and credited to the Court Clerk's Records  
7 Management and Preservation Fund created in Section 31.3 of this  
8 title.

9 H. In any case in which a litigant claims to have a just cause  
10 of action and that, by reason of poverty, the litigant is unable to  
11 pay the fees and costs provided for in this section and is  
12 financially unable to employ counsel, upon the filing of an  
13 affidavit in forma pauperis executed before any officer authorized  
14 by law to administer oaths to that effect and upon satisfactory  
15 showing to the court that the litigant has no means and is,  
16 therefore, unable to pay the applicable fees and costs and to employ  
17 counsel, no fees or costs shall be required. The opposing party or  
18 parties may file with the court clerk of the court having  
19 jurisdiction of the cause an affidavit similarly executed  
20 contradicting the allegation of poverty. In all such cases, the  
21 court shall promptly set for hearing the determination of  
22 eligibility to litigate without payment of fees or costs. Until a  
23 final order is entered determining that the affiant is ineligible,  
24 the clerk shall permit the affiant to litigate without payment of

fees or costs. Any litigant executing a false affidavit or counter affidavit pursuant to the provisions of this section shall be guilty of perjury.

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

SECTION 4. This act shall become effective November 1, 2024.

Passed the House of Representatives the 14th day of March, 2024.

Presiding Officer of the House  
of Representatives

Passed the Senate the            day of            , 2024.

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Presiding Officer of the Senate