

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3179

By: Waldron

AS INTRODUCED

An Act relating to civil procedure; amending 12 O.S. 2021, Section 1148.15, as amended by Section 1, Chapter 184, O.S.L. 2023 (12 O.S. Supp. 2023, Section 1148.15), which relates to affidavits for eviction; prescribing form for affidavit to be filed with the clerk of the court; amending 12 O.S. 2021, Section 1148.16, as amended by Section 2, Chapter 184, O.S.L. 2023 (12 O.S. Supp. 2023, Section 1148.16), which relates to summons for eviction; prescribing form for summons to be issued; and providing an effective date.

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

SECTION 1. AMENDATORY 12 O.S. 2021, Section 1148.15, as amended by Section 1, Chapter 184, O.S.L. 2023 (12 O.S. Supp. 2023, Section 1148.15), is amended to read as follows:

Section 1148.15 The actions for unlawful entry and detainer, commonly known as an eviction, standing alone or when joined with a claim for collection of rent or damages to the premises, or both, shall be commenced by filing an affidavit in substantially the following form with the clerk of the court: ~~This affidavit is to be developed by the Oklahoma Bar Association using plain and~~

1 ~~understandable language. The Administrative Office of the Courts~~
2 ~~shall provide public access to the affidavit by providing a link to~~
3 ~~the form on the Oklahoma State Courts Network (OSCN) website.~~

4 AFFIDAVIT

5 In _____ County District Court, Oklahoma

6 _____
7 Plaintiff (Landlord)

8 vs.

9 _____
10 Defendant (Tenant)

11 _____ (LANDLORD), truthfully states that: The tenant
12 being sued for eviction resides at

13 _____ (ADDRESS), and tenant's
14 mailing address, if different, is

15 _____ .
16 The tenant owes the landlord past-due rent in the amount of

17 \$ _____ and additionally \$ _____ for damages to the rental

18 unit; the landlord has demanded payment of this amount, but the

19 tenant has not paid any amount of what is owed.

20 and/or

21 The tenant is not lawfully or with permission residing at the

22 property located at

23 _____
24 _____ (ADDRESS). The landlord is entitled to

1 possession and control of the property and has demanded that the
2 tenant permanently leave the property, but the tenant has not done
3 so.

4 _____
(LANDLORD SIGNATURE)

5 Subscribed and sworn to before me this _____ day of _____,
6 20 .

7 _____
8 _____
9 Notary Public (or Clerk or Judge)

10 SECTION 2. AMENDATORY 12 O.S. 2021, Section 1148.16, as
11 amended by Section 2, Chapter 184, O.S.L. 2023 (12 O.S. Supp. 2023,
12 Section 1148.16), is amended to read as follows:

13 Section 1148.16 The summons to be issued in an action for
14 forcible entry and detainer, commonly known as an eviction, shall be
15 in substantially the following form. ~~a form developed in plain and~~
16 ~~understandable language by the Oklahoma Bar Association. The~~
17 ~~Administrative Office of the Courts shall provide public access to~~
18 ~~the affidavit by providing a link to the form on the Oklahoma State~~
19 ~~Courts Network (OSCN) website.~~ The summons shall be delivered no
20 less than three (3) days before the scheduled time and date of the
21 court hearing. This scheduled date and time shall not be less than
22 five (5) days from the date the summons is issued.

23 EVICTION (FORCIBLE ENTRY AND DETAINER)

24 In _____ County District Court
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1 To: _____ (TENANT NAME)

2 You are being sued for eviction by _____

3 (LANDLORD NAME) from

4 _____ (ADDRESS).

6 Your landlord claims you owe past rent totaling

7 _____ (BACK DUE RENT) and additional

8 _____ (DAMAGES) in damages.

10 You may either leave the property immediately, or you can appear in
11 court to explain why you should not be evicted. If you do not appear
12 in court, an eviction judgment may automatically be issued against
13 you, which may include a financial judgment for any rent and damages
14 you owe and the costs of the court proceeding.

16 You are scheduled to appear in court at

17 _____ (COURT ADDRESS) at

18 _____ (TIME) on _____ (DATE).

20 If an eviction judgment is issued against you by the court, you may
21 be removed from the property by the sheriff.

24 Today's Date: _____
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1 Clerk of the Court (or Judge)

2 Landlord or Attorney

3 Address

4 Telephone Number

5 SECTION 3. This act shall become effective November 1, 2024.

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