

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 3941

By: Kane

COMMITTEE SUBSTITUTE

[courts - secretary-bailiffs - salary - effective

date -

emergency]

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

SECTION 1. AMENDATORY 20 O.S. 2021, Section 125, as last amended by Section 4, Chapter 316, O.S.L. 2025 (20 O.S. Supp. 2025, Section 125), is amended to read as follows:

Section 125. A. In all counties of the state there is created the office of secretary-bailiff for district judges and associate district judges, and a secretary-bailiff for business court judges, with each such secretary-bailiff to be appointed by order of the district judge, associate district judge, or business court judge to serve at the will of the appointing judge. The Chief Justice of the Supreme Court shall approve by administrative directive the number and assignments of secretary-bailiffs in all counties of the state.

1 Each secretary-bailiff shall be paid a salary pursuant to the salary
2 schedule established by the annual appropriation for the district
3 courts and in accordance with the job description for the position
4 to which appointed. For fiscal year ~~2023~~ 2027 and each fiscal year
5 thereafter, each secretary-bailiff shall receive an annual salary
6 equal to the greater of Forty-two Thousand Dollars (\$42,000.00) or
7 eighty percent (80%) of the maximum salary payable to a law
8 enforcement level 5 officer as determined by the applicable Oklahoma
9 Law Enforcement Pay Structure. In each business court division, the
10 business court judge may appoint a law clerk, who shall be an
11 attorney licensed or eligible to become licensed to practice law in
12 this state, to serve at the will of the appointing judge with an
13 annual salary to be set by the Chief Justice. In every county of
14 the state each district judge and each associate district judge,
15 including business court judges in counties with a business court
16 division, may by order appoint additional necessary court personnel
17 subject to the approval of the Chief Justice. A part-time bailiff
18 shall be paid out of the court fund of the county where appointed at
19 the rate set by administrative directive for each hour that such
20 person actually attends the court and performs services, or a pro
21 rata fraction thereof for less than an hour of service.
22 Notwithstanding any other provision of law, each district judge and
23 associate district judge may contract with the sheriff of the county
24 to allow a deputy sheriff to provide bailiff service to the court.

1 B. With the approval of the presiding judge, a special judge
2 may appoint a secretary-bailiff or other personnel in accordance
3 with the administrative order of the Chief Justice.

4 C. No judge shall engage more than one full-time secretary-
5 bailiff at any given time except only during the progress of a jury
6 trial, when a part-time bailiff may be engaged subject to the
7 approval of the Chief Justice. In the latter event, no more than
8 one additional bailiff shall be engaged to take charge of the jury.
9 The costs of meals and lodging of bailiffs ordered to keep a jury
10 together during the process of a trial or after the jury retires for
11 deliberation shall be lawfully paid from the court fund.

12 D. A district judge who sits regularly in more than one county
13 may employ only one full-time secretary-bailiff in the judicial
14 district of the judge, and in any other county of the district the
15 judge may engage a bailiff only on a part-time basis when such judge
16 sits in the county as a judge pursuant to the procedures set forth
17 by the Chief Justice in the administrative directive. The cost of
18 the operation of the office of a district judge of a multi-county
19 judicial district, including the purchase of equipment and supplies,
20 may be apportioned among the counties of that judicial district, or
21 appropriate division of that district, based upon the percentage of
22 revenue collected by the courts of the district.

23 E. The Administrative Director of the Courts shall develop and
24 promulgate job descriptions, salary schedules and time-keeping forms

1 for part-time bailiff personnel. The Chief Justice of the Supreme
2 Court, through the Office of the Administrative Director of the
3 Courts, shall promulgate rules for the compensation for overtime for
4 all secretary-bailiff and part-time bailiff personnel employed.

5 F. Persons employed by a county that does not meet the
6 requirements of Section 951 of Title 19 of the Oklahoma Statutes,
7 and who serve as full-time secretary-bailiffs or full-time bailiffs
8 shall be eligible to participate in the state retirement system and
9 state insurance programs and any other benefits as are provided to
10 state employees in the unclassified service. All part-time bailiff
11 personnel shall be compensated by the local court fund.

12 G. On October 1, 1989, the position of full-time bailiff shall
13 be redesignated as the position of secretary-bailiff in accordance
14 with the job descriptions, salary schedules, and procedures approved
15 by the Chief Justice. Additional secretary-bailiff positions shall
16 be created as funding and employee positions are available.
17 Counties shall be allowed to provide additional support personnel to
18 the judges sitting in such counties to the extent that funding is
19 available.

20 H. Any secretary-bailiff who is certified by the Council on Law
21 Enforcement Education and Training (CLEET) as a basic peace officer
22 shall have and exercise all the powers and authority of a peace
23 officer. The Office of the Administrative Director of the Courts
24 shall promulgate rules which prescribe the duties for all CLEET-

1 certified secretary-bailiffs. The provisions of this subsection
2 will not entitle a CLEET-certified secretary-bailiff to participate
3 in the Oklahoma Police Pension and Retirement System.

4 SECTION 2. This act shall become effective July 1, 2026.

5 SECTION 3. It being immediately necessary for the preservation
6 of the public peace, health or safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

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