

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 60th Legislature (2026)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3499

By: Duel

7  
8                                   COMMITTEE SUBSTITUTE

9                   An Act relating to courts; amending 20 O.S. 2021,  
10                   Section 123, which relates to the jurisdiction of  
11                   special judges; authorizing special judges to hear  
12                   and decide applications for court orders to issue  
13                   titles; and providing an effective date.

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

15                   SECTION 1.           AMENDATORY           20 O.S. 2021, Section 123, is  
16 amended to read as follows:

17                   Section 123. A. Special judges may hear and decide the  
18 following:

19                   1. Actions for the recovery of money where the amount claimed  
20 does not exceed Ten Thousand Dollars (\$10,000.00) and counterclaim  
21 or setoff does not exceed Ten Thousand Dollars (\$10,000.00);

22                   2. All uncontested matters, whether by default, agreement, or  
23 otherwise, except that a nonlawyer special judge may not hear any  
24 uncontested matters, whether by default, agreement, or otherwise, in

1 actions for the recovery of money where judgment is sought for a  
2 greater sum than One Thousand Dollars (\$1,000.00);

3 3. Actions for forcible entry and detainer except a nonlawyer  
4 special judge may not hear such actions if title to land or a  
5 boundary dispute is involved;

6 4. Actions for replevin where the amount in controversy does  
7 not exceed Ten Thousand Dollars (\$10,000.00), except that nonlawyer  
8 special judges may not hear such actions where the amount in  
9 controversy exceeds One Thousand Dollars (\$1,000.00);

10 5. Misdemeanors, except that special judges who are not lawyers  
11 may not hear criminal actions where the punishment prescribed by law  
12 exceeds a fine of Two Hundred Dollars (\$200.00), or imprisonment in  
13 a county jail for thirty (30) days, or both such fine and  
14 imprisonment except by written consent of all parties;

15 6. Felonies involving a second and subsequent offense of  
16 driving, operating, or being in actual physical control of a motor  
17 vehicle while under the influence of alcohol or any other  
18 intoxicating substance, including any controlled dangerous substance  
19 as defined in the Uniform Controlled Dangerous Substances Act, to a  
20 degree that renders the defendant incapable of safely driving or  
21 operating a motor vehicle, except that nonlawyer special judges may  
22 not hear such matters;

23 7. When there is no district or associate district judge  
24 present in the county or when they are disqualified, the issuance of

1 a temporary injunction or restraining order, but this paragraph  
2 shall not embrace nonlawyer special judges;

3 8. Issuance of writs of habeas corpus, but this paragraph shall  
4 not embrace nonlawyer special judges;

5 9. Any matter, regardless of value, at any stage, whether  
6 intermediate or final, and whether or not title to property, real,  
7 personal, tangible, intangible, or any combination thereof, is to be  
8 determined, in a probate, divorce, domestic relations, custody,  
9 support, guardianship, conservatorship, mental health, juvenile,  
10 adoption, or determination of death proceeding, except that  
11 nonlawyer special judges may not hear such matters;

12 10. An appeal from an order of the Department of Public Safety  
13 revoking a person's license to drive, except that nonlawyer special  
14 judges may not hear such matters;

15 11. Other actions and proceedings, regardless of court rules,  
16 where the parties agree in writing, at any time before trial, to the  
17 action being heard by a special judge;

18 12. Any postjudgment collection matter regardless of the amount  
19 of the judgment; ~~and~~

20 13. Youthful offender cases pursuant to the Youthful Offender  
21 Act; and

22 14. Applications for court orders to issue titles including,  
23 but not limited to, applications seeking an order directing the  
24 issuance, reissuance, correction, or replacement of certificates of

1 title for motor vehicles, manufactured homes, vessels, or other  
2 titled property, and to enter such orders as may be necessary and  
3 proper to effectuate the issuance of title.

4 B. Special judges shall be authorized to serve as referee in  
5 any matter before the district court.

6 C. A special judge may perform the duties of a magistrate in  
7 criminal cases.

8 SECTION 2. This act shall become effective November 1, 2026.

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10 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/25/2026 - DO PASS,  
11 As Amended.

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