

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 4226

By: Kannady

AS INTRODUCED

An Act relating to courts; amending 20 O.S. 2021, Section 1403, which relates to disqualification of judges; permitting a party in good-faith request to judge that they disqualify themselves; allowing party to file motion; directing the judge to rule on the motion within fifteen days; allowing review of denial of disqualification motion by the chief judge of the county; directing presiding judge of administrative district to review motion for disqualification of chief judge; providing procedure for rehearing; allowing application for mandamus; and providing an effective date.

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

SECTION 1. AMENDATORY 20 O.S. 2021, Section 1403, is amended to read as follows:

Section 1403. ~~Any party to any cause pending in a court of record may in term time or in vacation file a written application with the clerk of the court, setting forth the grounds or facts upon which the claim is made that the~~

A. Upon a good-faith belief that a judge is disqualified, and  
~~request said judge so to certify, after reasonable notice to the~~

1 ~~other side, same to be presented to such judge, and upon his failure~~  
2 ~~so to do within three (3) days before said cause is set for trial,~~  
3 ~~application may be made to the proper tribunal for mandamus~~  
4 ~~requiring him so to do.~~ any party to any cause pending in a court of  
5 record may seek the judge's disqualification by first making a  
6 request to the judge in camera to disqualify himself or herself. If  
7 the request is denied, the requesting party may file a written  
8 motion for disqualification within ten (10) days from the denial  
9 setting forth the grounds upon which the request for  
10 disqualification is made. Provided, no disqualification motion  
11 shall be filed less than ten (10) days before the case is set for  
12 trial. The judge shall rule upon the disqualification motion within  
13 fifteen (15) days from the date it is filed.

14 B. The denial of a disqualification motion shall be reviewable  
15 by the chief judge of the county in which the cause is pending or,  
16 if the disqualification of the chief judge is sought, to the  
17 presiding judge of the administrative district, upon the filing of  
18 an application for rehearing within five (5) days from the adverse  
19 ruling. Rehearing on the disqualification motion shall be held and  
20 ruled upon within thirty (30) days from the filing of the  
21 application for rehearing.

22 C. Within five (5) days from an adverse ruling on rehearing,  
23 application may be made to the proper tribunal for mandamus  
24 requiring the judge to disqualify.

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

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