

<DateSubmitted>

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB1562

By: Duel of the House and Howard of the Senate

Title: Courts; business court division; business court judges; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

SENATE CONFEREES

Howard	_____
Gollihare	_____
Jech	_____
Rosino	_____
Paxton	_____
Daniels	_____
Boren	_____

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

CONFERENCE COMMITTEE
SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1562

By: Duel of the House

and

Howard of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to business courts; amending Section 5 of Enrolled Senate Bill No. 632 of the 1st Session of the 60th Oklahoma Legislature, which relates to the creation of business courts; modifying provisions relating to the jurisdiction of business courts; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 5 of Enrolled Senate Bill No. 632 of the 1st Session of the 60th Oklahoma Legislature is amended to read as follows:

A. In an action where damages are requested under subsection B or C of this section, the amount in controversy shall be at least Five Hundred Thousand Dollars (\$500,000.00).

B. When a business court division is created pursuant to Section 91.7 of Title 20 of the Oklahoma Statutes, certain cases, excluding arbitration cases, filed on or after January 1, 2026, may

1 be assigned to the business court docket. The business court shall
2 have the power to grant any relief that may be granted by a district
3 court and may exercise concurrent jurisdiction and the powers of a
4 court of equity, to the extent that such powers are exercised.

5 Notwithstanding the amount in controversy, where equitable relief is
6 requested in a business dispute, a business court may hear an
7 action:

8 1. Arising under the Uniform Arbitration Act, Section 1851 et
9 seq. of Title 12 of the Oklahoma Statutes;

10 2. Arising under the Uniform Commercial Code, Section 1-101 et
11 seq. of Title 12A of the Oklahoma Statutes;

12 3. Arising under the Oklahoma General Corporation Act, Section
13 1001 et seq. of Title 18 of the Oklahoma Statutes;

14 4. Arising under the Oklahoma Limited Liability Company Act,
15 Section 2000 et seq. of Title 18 of the Oklahoma Statutes;

16 5. Arising under the Oklahoma Revised Uniform Partnership Act,
17 Section 1-100 et seq. of Title 54 of the Oklahoma Statutes;

18 6. Arising under the Uniform Limited Partnership Act of 2010,
19 Section 500-101A et seq. of Title 54 of the Oklahoma Statutes;

20 7. Arising under the Oklahoma Uniform Securities Act of 2004,
21 Section 1-101 et seq. of Title 71 of the Oklahoma Statutes;

22 8. Arising under the Uniform Trade Secrets Act, Section 85 et
23 seq. of Title 78 of the Oklahoma Statutes;

24 9. Shareholder and unitholder derivative actions;

1 10. That relates to the internal affairs of businesses
2 including, but not limited to, rights or obligations between or
3 among business participants regarding the liability or indemnity of
4 business participants, officers, directors, managers, trustees,
5 controlling shareholders or members, or partners;

6 11. Where the complaint includes a professional malpractice
7 claim arising out of a business dispute;

8 12. Involving tort claims between or among two or more business
9 entities or individuals as to their business or investment
10 activities relating to contracts, transactions, or relationships
11 between or among such entities or individuals;

12 13. For breach of contract, fraud, or misrepresentation between
13 businesses arising out of business transactions or relationships;

14 14. Arising from e-commerce agreements, technology licensing
15 agreements including, but not limited to, software and biotechnology
16 license agreements, or any other agreement involving the licensing
17 of any intellectual property right including, but not limited to, an
18 agreement relating to patent rights; and

19 15. Involving commercial real property.

20 C. A business court shall have jurisdiction to hear complex
21 cases. For purposes of this act, "complex case" means an action
22 that requires exceptional judicial management to avoid placing
23 unnecessary burdens on the court or the litigants, expedite the
24 case, keep costs reasonable, and promote effective decision-making

1 by the court, parties, and counsel. In deciding whether an action
2 is a complex case, the court shall consider factors including, but
3 not limited to, whether the action is likely to involve:

4 1. Numerous hearings, and pretrial and dispositive motions
5 raising difficult or novel legal issues that will be time-consuming
6 to resolve;

7 2. Management of a large number of witnesses or a substantial
8 amount of documentary evidence;

9 3. Management of a large number of separately represented
10 parties;

11 4. Multiple expert witnesses;

12 5. Coordination with related actions pending in one or more
13 courts in other counties, states, or countries, or in a federal
14 court;

15 6. Substantial post-judgment judicial supervision; or

16 7. Legal or technical issues of complexity.

17 D. An action is presumptively a complex case, subject to
18 rebuttal, if it involves one or more of the following types of
19 claims:

20 1. Antitrust or trade regulation claims;

21 2. Intellectual property matters including, but not limited to,
22 trade secrets, copyrights, and patents;

23 3. Securities claims or investment losses involving more than
24 two parties;

1 4. Environmental or toxic tort claims involving more than two
2 parties;

3 5. Ownership or control of business claims;

4 6. Insurance coverage claims;

5 7. Construction defect claims involving many parties or
6 structures;

7 8. Product liability claims; or

8 9. Mass tort claims.

9 Nothing in this subsection shall be construed to include individual
10 consumer claims or transactions involving a retail customer of goods
11 or services who uses or intends to use such goods or services
12 primarily for personal, family, or household purposes; provided,
13 however, this paragraph shall not be construed to preclude the court
14 from exercising jurisdiction over mass actions or class actions
15 involving such individual consumer claims.

16 E. A business court shall have supplemental jurisdiction over
17 any other claim related to a case or controversy within the court's
18 jurisdiction that forms part of the same case or controversy. If a
19 party objects to the business court's supplemental jurisdiction over
20 other claims, the business court judge may remand those claims to
21 the district court.

22 F. A business court shall not have authority to exercise
23 jurisdiction over claims arising under federal or state law, as
24 applicable, involving:

- 1 1. The Oklahoma Consumer Protection Act, Section 751 et seq. of
2 Title 15 of the Oklahoma Statutes;
- 3 2. Against a governmental entity or political subdivision under
4 Title 19 of the Oklahoma Statutes or under The Governmental Tort
5 Claims Act, Section 151 et seq. of Title 51 of the Oklahoma
6 Statutes;
- 7 3. Guardianship matters under Title 30 of the Oklahoma
8 Statutes;
- 9 4. Probate matters under Title 58 of the Oklahoma Statutes;
- 10 5. A deceptive trade practice as set forth in Section 53 of
11 Title 78 of the Oklahoma Statutes, to the extent such matter is not
12 a business dispute;
- 13 6. Residential landlord and tenant;
- 14 7. Personal injury and wrongful death;
- 15 8. Domestic relations;
- 16 9. Foreclosures;
- 17 10. Individual consumer claims or transactions involving a
18 retail customer of goods or services who uses or intends to use such
19 goods or services primarily for personal, family, or household
20 purposes; provided, however, this paragraph shall not be construed
21 to preclude the court from exercising jurisdiction over mass actions
22 or class actions involving such individual consumer claims;
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- 24

1 11. Collections in matters involving a corporation or other
2 entity subject to the farming and ranching statutes of this state or
3 an individual farmer; ~~or~~

4 12. Cases that would generally be considered consumer
5 transactions or human relation matters-; or

6 13. Matters involving royalty or mineral owners, except cases
7 in which all parties consent to jurisdiction or the case is a class
8 action.

9 SECTION 2. It being immediately necessary for the preservation
10 of the public peace, health or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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14 60-1-13837 AO 05/28/25
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