

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1758

By: Jett

AS INTRODUCED

An Act relating to civil procedure; amending 12 O.S. 2021, Section 993, which relates to appeals from certain orders; authorizing certain appeal; requiring certain notice; requiring certain prompt decision; prohibiting certain stay of proceedings; and declaring an emergency.

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

SECTION 1. AMENDATORY 12 O.S. 2021, Section 993, is amended to read as follows:

Section 993. A. When an order:

1. Discharges, vacates, or modifies or refuses to discharge, vacate, or modify an attachment;

2. Denies a temporary or permanent injunction, grants a temporary or permanent injunction except where granted at an ex parte hearing, or discharges, vacates, or modifies or refuses to discharge, vacate, or modify a temporary or permanent injunction;

3. Discharges, vacates, or modifies or refuses to discharge, vacate, or modify a provisional remedy which affects the substantial rights of a party;

1       4. Appoints a receiver except where the receiver was appointed  
2 at an ex parte hearing, refuses to appoint a receiver, or vacates or  
3 refuses to vacate the appointment of a receiver;

4       5. Directs the payment of money pendente lite except where  
5 granted at an ex parte hearing, refuses to direct the payment of  
6 money pendente lite, or vacates or refuses to vacate an order  
7 directing the payment of money pendente lite;

8       6. Certifies or refuses to certify an action to be maintained  
9 as a class action;

10       7. Denies a motion in a class action asserting lack of  
11 jurisdiction because an agency of this state has exclusive or  
12 primary jurisdiction of the action or a part of the action, or  
13 asserting that a party has failed to exhaust administrative  
14 remedies, but only if the class is subsequently certified and only  
15 as part of the appeal of the order certifying the class action; or

16       8. Grants a new trial or opens or vacates a judgment or order,  
17 the party aggrieved thereby may appeal the order to the Supreme  
18 Court without awaiting the final determination in said cause, by  
19 filing the petition in error and the record on appeal with the  
20 Supreme Court within thirty (30) days after the order prepared in  
21 conformance with Section 696.3 of this title, is filed with the  
22 court clerk. If the appellant did not prepare the order, and  
23 Section 696.2 of this title required a copy of the order to be  
24 mailed to the appellant, and the court records do not reflect the

1 mailing of a copy of the order to the appellant within three (3)  
2 days, exclusive of weekends and holidays, after the filing of the  
3 order, the petition in error may be filed within thirty (30) days  
4 after the earliest date on which the court records show that a copy  
5 of the order was mailed to the appellant. The Supreme Court may  
6 extend the time for filing the record upon good cause shown.

7 B. If the order discharges or modifies an attachment or  
8 temporary injunction and it becomes operative, the undertaking given  
9 upon the allowance of an attachment or temporary injunction shall  
10 stay the enforcement of said order and remain in full force until  
11 final order of discharge shall take effect.

12 C. If a receiver shall be or has been appointed, upon the  
13 appellant filing an appeal bond, with sufficient sureties, in such  
14 sum as may have been required of the receiver by the court or a  
15 judge thereof, conditioned for the due prosecution of the appeal and  
16 the payment of all costs or damages that may accrue to the state or  
17 any officer or person by reason thereof, the authority of the  
18 receiver shall be suspended until the final determination of the  
19 appeal, and if the receiver has taken possession of any property,  
20 real or personal, it shall be returned and surrendered to the  
21 appellant upon the filing and approval of the bonds.

22 D. In addition to other appeals authorized by law, a party may  
23 appeal from any of the following interlocutory orders:  
24  
25

1       1. An order that grants, modifies, denies, or refuses a  
2 temporary order in any suit affecting the parent-child relationship,  
3 including, but not limited to, temporary orders regarding:

- 4           a. conservatorship or legal custody,  
5           b. possession or visitation,  
6           c. child support or spousal support,  
7           d. protective orders involving a parent or child, and  
8           e. the rights and duties of a parent;

9       2. A notice of appeal pursuant to this subsection shall be  
10 filed within twenty (20) days of the date the temporary order is  
11 signed;

12       3. Upon a showing of good cause, including, but not limited to,  
13 lack of notice or representation at the time of the order, the  
14 appellate court shall extend the time for filing a notice of appeal  
15 pursuant to this subsection by no more than ten (10) additional  
16 days;

17       4. An appeal pursuant to this subsection shall be given  
18 priority status by the appellate court. The court shall expedite  
19 briefing and render a decision as promptly as practicable; and

20       5. An appeal pursuant to this subsection shall not stay  
21 proceedings in the trial court unless the appellate court orders a  
22 stay.

23       SECTION 2. It being immediately necessary for the preservation  
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.  
3

4 60-2-3169 CN 1/14/2026 3:03:23 PM  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25