

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE
FOR
5 HOUSE BILL NO. 1129

By: Pogemiller and Deck of the
House

6 and

7 **Rader** of the Senate

11 COMMITTEE SUBSTITUTE

12 An Act relating to court fees; amending 12 O.S. 2021,
13 Section 1764, which relates to small claims court
fees; increasing fee; and providing an effective
date.

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

15 SECTION 1. AMENDATORY 12 O.S. 2021, Section 1764, is
16 amended to read as follows:

17 Section 1764. A fee of ~~Forty-five Dollars (\$45.00)~~ Eighty-five
18 ~~Dollars (\$85.00)~~ shall be charged and collected for the filing of
19 the affidavit for the commencement of any action for an amount of
20 Five Thousand Dollars (\$5,000.00) or less. Any action in excess of

1 | Five Thousand Dollars (\$5,000.00) shall be subject to the filing
2 | fees provided in Title 28 of the Oklahoma Statutes for the same kind
3 | of action as filed in district court. For the filing of any
4 | counterclaim or setoff, fees shall be charged and collected pursuant
5 | to Section 152.1 of Title 28 of the Oklahoma Statutes. Except as
6 | otherwise provided in Section 1772 of this title, no other fee or
7 | charge shall be collected by any officer for any service rendered
8 | pursuant to the provisions of the Small Claims Procedure Act, or for
9 | the taking of affidavits for use in connection with any action tried
10 | pursuant to the provisions of the Small Claims Procedure Act. If
11 | the affidavit and order are served by the sheriff or a licensed
12 | private process server, the court clerk shall collect the usual fee
13 | for the sheriff, which shall be taxed as costs in the case. The fee
14 | paid to a licensed private process server, as approved by the court,
15 | shall be taxed as additional costs in the case. After judgment, the
16 | court clerk shall issue such process and shall be entitled to
17 | collect only such fees and charges as are allowed by law for like
18 | services in other actions. All fees collected as authorized by this
19 | section and Section 1772 of this title shall be deposited with other
20 | fees that are collected by the district court. Any statute
21 | providing for an award of attorney fees shall be applicable to the
22 | small claims division if the attorney makes an appearance in the
23 | case, whether before or after judgment or on hearing for disclosure
24 | of assets.

1 SECTION 2. This act shall become effective November 1, 2025.

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3 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
OVERSIGHT, dated 03/03/2025 - DO PASS, As Amended and Coauthored.

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