An Act

(1ST EXTRAORDINARY SESSION)
ENROLLED HOUSE
BILL NO. 1024

By: Wallace, Martinez, Provenzano, Menz, Schreiber, Hefner, Ranson, and Swope of the House

and

Thompson (Roger), Hall, and Hicks of the Senate

An Act relating to fees; amending 28 O.S. 2021, Section 86, which relates to jurors' fees; increasing jurors' fees for attendance; and providing an effective date.

SUBJECT: Fees

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

SECTION 1. AMENDATORY 28 O.S. 2021, Section 86, is amended to read as follows:

Section 86. A. Jurors shall be paid the following fees out of the local court fund:

1. For each day's attendance before any court of record, ~~Twenty Dollars ($20.00)~~ Fifty Dollars ($50.00); and

2. For mileage going to and returning from jury service each day, pursuant to the provisions of the State Travel Reimbursement Act.

B. The Court Fund Board of the district court may contract for or provide reimbursement for parking for district court jurors to be paid from the Court Fund. Parking so provided to jurors shall be in lieu of any reimbursement to jurors for parking fees.

C. The provisions of this section shall not apply to any person who is summoned for jury duty and who is excused from serving pursuant to the provisions of subsection A of Section 28 of Title 38 of the Oklahoma Statutes, beginning on the day the person is excused from service.

D. The Supreme Court shall promulgate rules to establish a Lengthy Trial Fund that shall be used to provide full or partial wage replacement or wage supplementation to jurors who serve as petit jurors for more than ten (10) days.

1. The court rules shall provide for the selection and appointment of an Administrator for the fund; procedures for the administration of the fund, including payments of salaries of the Administrator and other necessary personnel; procedures for the accounting, auditing and investment of money in the Lengthy Trial Fund; and a report by the Supreme Court on the administration of the Lengthy Trial Fund included in its annual report on the judicial branch, setting forth the money collected for and disbursed from the fund.

2. The clerk of the court shall collect from each attorney who files a civil case, unless otherwise exempted under the provisions of this section, a fee of Ten Dollars ($10.00) per case to be paid into the Lengthy Trial Fund. A lawyer will be deemed to have filed a case at the time the first pleading or other filing on which an individual lawyer's name appears is submitted to the court for filing and opens a new case. All such fees shall be forwarded to the Administrator of the Lengthy Trial Fund for deposit.

3. The Administrator shall use the fees deposited in the Lengthy Trial Fund to pay full or partial wage replacement or supplementation to jurors whose employers pay less than full regular wages when the period of jury service lasts more than ten (10) days.

4. The court may pay replacement or supplemental wages of up to Two Hundred Dollars ($200.00) per day per juror beginning on the eleventh day of jury service. In addition, for any jurors who qualify for payment by serving on a jury for more than ten (10) days, the court may, upon finding that such service posed a significant financial hardship to a juror, even in light of payments made with respect to jury service after the tenth day, award replacement or supplemental wages of up to Fifty Dollars ($50.00) per day from the fourth to the tenth day of jury service.

5. Any juror who is serving or has served on a jury that qualifies for payment from the Lengthy Trial Fund, provided the service commenced on or after January 1, 2005, may submit a request for payment from the Lengthy Trial Fund on a form provided by the Administrator. Payment shall be limited to the difference between the state-paid jury fee and the actual amount of wages a juror earns, up to the maximum level payable, minus any amount the juror actually receives from the employer during the same time period. The form shall disclose the juror's regular wages, the amount the employer will pay during the term of jury service starting on the eleventh day and thereafter, the amount of replacement or supplemental wages requested, and any other information the Administrator deems necessary for proper payment. The juror shall be required to submit verification from the employer as to the wage information provided to the Administrator, including but not limited to the employee's most recent earnings statement or similar document, prior to initiation of payment from the fund. If an individual is self-employed or receives compensation other than wages, the individual may provide a sworn affidavit attesting to his or her approximate gross weekly income, together with such other information as the Administrator may require, in order to verify weekly income.

6. The following attorneys and causes of action are exempt from payment of the Lengthy Trial Fund fee:

a. government attorneys entering appearances in the course of their official duties,

b. pro se litigants,

c. cases in small claims court or the state equivalent thereof, or

d. claims seeking Social Security disability determinations, individual veterans' compensation or disability determinations, recoupment actions for government backed educational loans or mortgages, child custody and support cases, actions brought in forma pauperis, and any other filings designated by rule that involve minimal use of court resources and that customarily are not afforded the opportunity for a trial by jury.

7. Until June 30, 2021, the Office of Management and Enterprise Services shall, at the request of the Administrative Director of the Courts, transfer any monies from the Lengthy Trial Fund to the Supreme Court Administrative Revolving Fund or the Interagency Reimbursement Fund as necessary to perform the duties imposed upon the Supreme Court, Court of Civil Appeals and district courts by law.

SECTION 2. This act shall become effective November 1, 2023.

Passed the House of Representatives the 24th day of May, 2023.

Presiding Officer of the House
of Representatives

Passed the Senate the 26th day of May, 2023.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 26th

day of May, 20 23, at 4:14 o'clock p. M.

By: [illegible]

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 2nd

day of June, 20 23, at 9:48 o'clock A M.

By: Brian Bingman

OFFICE OF

THE GOVERNOR
STATE OF OKLAHOMA

No. HB 1024x

OKLAHOMA CITY, OKLA., June 2, 2023

TIME SIGNED: _____

TO THE HONORABLE SPEAKER OF THE HOUSE
AND MEMBERS OF THE OKLAHOMA HOUSE OF REPRESENTATIVES
FIRST ***EXTRAORDINARY*** SESSION OF THE
FIFTY-NINTH OKLAHOMA LEGISLATURE

ENROLLED HOUSE BILL NO. 1024x:

Both because I support fiscal discipline and strongly oppose an increase in recurring expenditures, and because I am disheartened by other aspects of the budget package, I have not signed House Bill 1024x.

Subject to objections to the unique process by which the Bill made its way to my desk, the Bill will become law without signature.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

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Delivered to HOUSE by: Sumer Berry
Date/Time: 6/2/23; 11:31am

HOUSE:
By Kris Mathison
Date/Time 6/2/23 11:41 am

RECEIVED
JUN 02 2023
OKLAHOMA SECRETARY OF STATE