

1 ENGROSSED HOUSE  
2 BILL NO. 2233

By: Sears and Casey of the  
House

3 and

4 Jolley and Treat of the  
5 Senate

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7  
8 An Act relating to the Supreme Court; amending 20  
9 O.S. 2011, Section 1227, as amended by Section 78,  
10 Chapter 304, O.S.L. 2012 (20 O.S. Supp. 2014, Section  
11 1227), which relates to the Law Library Revolving  
12 Fund; directing transfer of monies to perform court  
13 duties; amending 20 O.S. 2011, Section 1310.1, as  
14 amended by Section 81, Chapter 304, O.S.L. 2012 (20  
15 O.S. Supp. 2014, Section 1310.1), which relates to  
16 the Supreme Court Revolving Fund; modifying name;  
17 modifying authorization; directing transfer of monies  
18 to perform court duties; amending 20 O.S. 2011,  
19 Section 1310.2, as amended by Section 82, Chapter  
20 304, O.S.L. 2012 (20 O.S. Supp. 2014, Section  
21 1310.2), which relates to the State Judicial  
22 Revolving Fund; directing transfer of monies to  
23 perform court duties; amending 20 O.S. 2011, Section  
24 1310.3, as amended by Section 83, Chapter 304, O.S.L.  
2012 (20 O.S. Supp. 2014, Section 1310.3), which  
relates to the Supreme Court Administrative Revolving  
Fund; modifying procedure; modifying authorized  
expenditures; directing transfer of monies to perform  
court duties; amending 28 O.S. 2011, Section 86,  
which relates to the Lengthy Trial Fund; directing  
transfer of monies to perform court duties; and  
declaring an emergency.

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

1 SECTION 1. AMENDATORY 20 O.S. 2011, Section 1227, as  
2 amended by Section 78, Chapter 304, O.S.L. 2012 (20 O.S. Supp. 2014,  
3 Section 1227), is amended to read as follows:

4 Section 1227. A. There is hereby created in the State Treasury  
5 a revolving fund for the Supreme Court to be designated the "Law  
6 Library Revolving Fund". The fund shall be a continuing fund, not  
7 subject to fiscal year limitations, and shall consist of all monies  
8 collected by the clerks of the district court for law libraries as  
9 prescribed by law, the sales of any law library books or equipment,  
10 charges for services, gifts, grants, private donations, and federal  
11 funding. All monies accruing to the credit of the fund are hereby  
12 appropriated and may be budgeted and expended by the Supreme Court  
13 upon approval of the Chief Justice for:

14 1. The payment of charges due and owing by county law libraries  
15 at the time this statute is enacted;

16 2. The purchase of books, journals, publications, computer-  
17 assisted research devices and services, computer equipment and  
18 maintenance, communication charges, and other necessary equipment,  
19 services, and fixtures;

20 3. The payment of the salaries and benefits of personnel to  
21 administer the law libraries and assist in the purchase, sale, and  
22 inventory of books and equipment and the payment of all bills due  
23 and owing by county law libraries. Without regard for the county in  
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1 which bills were incurred or monies accrued, all monies received in  
2 the fund shall be combined and all bills paid from this fund;

3 4. The payment of incidental expenses as established in rules  
4 promulgated by the Supreme Court;

5 5. The payment of expenses occurring as the result of a natural  
6 disaster, accident, or equipment malfunction which is not reasonably  
7 foreseeable;

8 6. No initial orders or renewals for printed materials not  
9 previously on subscription may be placed after July 1, 1997; and

10 7. On or before August 1, 1997, the Administrative Director of  
11 the Courts shall solicit proposals for electronic research services  
12 to be provided to county law libraries if funds are available. Such  
13 proposals shall provide both compact disc and Internet access  
14 capabilities.

15 Expenditures from this fund shall be made upon warrants issued  
16 by the State Treasurer against claims filed as prescribed by law  
17 with the Director of the Office of Management and Enterprise  
18 Services for approval and payment.

19 B. Until June 30, 2015, the Office of Management and Enterprise  
20 Services shall, at the request of the Administrative Director of the  
21 Courts, transfer any monies from the Law Library Revolving Fund to  
22 the Supreme Court Administrative Revolving Fund or the Interagency  
23 Reimbursement Fund as necessary to perform the duties imposed upon  
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1 the Supreme Court, Court of Civil Appeals and district courts by  
2 law.

3 SECTION 2. AMENDATORY 20 O.S. 2011, Section 1310.1, as  
4 amended by Section 81, Chapter 304, O.S.L. 2012 (20 O.S. Supp. 2014,  
5 Section 1310.1), is amended to read as follows:

6 Section 1310.1 A. There is hereby created in the State  
7 Treasury a revolving fund for the ~~State~~ Supreme Court, to be  
8 designated the "Supreme Court Revolving Fund". The fund shall be a  
9 continuing fund, not subject to fiscal year limitations, and shall  
10 consist of monies appropriated by the Legislature for the purposes  
11 specified in this section. All monies accruing to the credit of  
12 said fund are hereby appropriated and may be budgeted and expended  
13 by the Supreme Court for refunds to bondsmen and for the purpose of  
14 paying expenses authorized by Section 1809 of Title 12 of the  
15 Oklahoma Statutes, Sections 103.1, 1311, 1507, ~~and~~ 1660 and 1707 of  
16 this title, and Sections 562 and 1355.13A of Title 22 of the  
17 Oklahoma Statutes, and to make any other expenditures determined by  
18 the ~~State~~ Supreme Court to be necessary due to unforeseen  
19 emergencies impacting the operation of state courts, as well as  
20 nonrecurring expenditures to perform the duties imposed upon the  
21 ~~State~~ Supreme Court or Court of Civil Appeals by law. Expenditures  
22 from said fund shall be made upon warrants issued by the State  
23 Treasurer against claims filed as prescribed by law with the  
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1 Director of the Office of Management and Enterprise Services for  
2 approval and payment.

3 B. Until June 30, 2015, the Office of Management and Enterprise  
4 Services shall at the request of the Administrative Director of the  
5 Courts, transfer any monies from the Supreme Court Revolving Fund to  
6 the Supreme Court Administrative Revolving Fund or the Interagency  
7 Reimbursement Fund as necessary to perform the duties imposed upon  
8 the Supreme Court, Court of Civil Appeals and district courts by  
9 law.

10 SECTION 3. AMENDATORY 20 O.S. 2011, Section 1310.2, as  
11 amended by Section 82, Chapter 304, O.S.L. 2012 (20 O.S. Supp. 2014,  
12 Section 1310.2), is amended to read as follows:

13 Section 1310.2 A. There is hereby created in the State  
14 Treasury a revolving fund for the Supreme Court to be designated the  
15 "State Judicial Revolving Fund". The fund shall be a continuing  
16 fund, not subject to fiscal year limitations, and shall consist of  
17 all receipts designated for deposit thereto pursuant to law and  
18 monies appropriated by the Legislature for deposit thereto. All  
19 monies accruing to the credit of said fund are hereby appropriated  
20 and may be budgeted by the Supreme Court as necessary to perform the  
21 duties imposed upon the Supreme Court, Court of Civil Appeals and  
22 district courts by law. The Administrative Director of the Courts,  
23 with the approval of the Chief Justice of the Supreme Court, is  
24 authorized to use the amounts deposited in the State Judicial

1 Revolving Fund for any lawful purpose including, but not limited to,  
2 payment of recurring and nonrecurring administrative and operating  
3 expenses for the Supreme Court and the district courts, subject to  
4 the ceilings established in the annual appropriations to the Supreme  
5 Court and the district courts. The Chief Justice of the Supreme  
6 Court, or the Administrative Director of the Courts acting at the  
7 direction of the Chief Justice, shall determine the allocation of  
8 funds and expenditures between or among the Supreme Court, Court of  
9 Civil Appeals, and district courts. Expenditures from said fund  
10 shall be made upon warrants issued by the State Treasurer against  
11 claims filed as prescribed by law with the Director of the Office of  
12 Management and Enterprise Services for approval and payment. The  
13 Supreme Court is hereby authorized to transfer funds from the State  
14 Judicial Revolving Fund to the district courts for duties imposed by  
15 law.

16 B. Until June 30, 2015, the Office of Management and Enterprise  
17 Services shall, at the request of the Administrative Director of the  
18 Courts, transfer any monies from the State Judicial Revolving Fund  
19 to the Supreme Court Administrative Revolving Fund as necessary to  
20 perform the duties imposed upon the Supreme Court, Court of Civil  
21 Appeals and district courts by law.

22 SECTION 4. AMENDATORY 20 O.S. 2011, Section 1310.3, as  
23 amended by Section 83, Chapter 304, O.S.L. 2012 (20 O.S. Supp. 2014,  
24 Section 1310.3), is amended to read as follows:

1 Section 1310.3 A. There is hereby created in the State  
2 Treasury a revolving fund for the Supreme Court to be designated as  
3 the "Supreme Court Administrative Revolving Fund". The fund shall  
4 be a continuing fund, not subject to fiscal year limitations, and  
5 shall consist of all monies transferred by the Supreme Court ~~from~~  
6 ~~legislative appropriations~~ in any given fiscal year or years. All  
7 monies accruing to the credit of the fund are hereby appropriated  
8 and ~~may~~ shall be budgeted and expended by the Supreme Court ~~for~~ as  
9 necessary to perform the duties imposed upon the Supreme Court,  
10 Court of Civil Appeals and district courts by law. Expenditures  
11 from said fund shall be made upon warrants issued by the State  
12 Treasurer against claims filed as prescribed by law with the  
13 Director of the Office of Management and Enterprise Services for  
14 approval and payment.

15 B. Until June 30, 2015, the Office of Management and Enterprise  
16 Services shall, at the request of the Administrative Director of the  
17 Courts, transfer any monies from the Supreme Court Administrative  
18 Revolving Fund to the Interagency Reimbursement Fund as necessary to  
19 perform the duties imposed upon the Supreme Court, Court of Civil  
20 Appeals and district courts by law.

21 SECTION 5. AMENDATORY 28 O.S. 2011, Section 86, is  
22 amended to read as follows:

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

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

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

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

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

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

19 1. The court rules shall provide for the selection and  
20 appointment of an Administrator for the fund; procedures for the  
21 administration of the fund, including payments of salaries of the  
22 Administrator and other necessary personnel; procedures for the  
23 accounting, auditing and investment of money in the Lengthy Trial  
24 Fund; and a report by the Supreme Court on the administration of the



1 Lengthy Trial Fund included in its annual report on the judicial  
2 branch, setting forth the money collected for and disbursed from the  
3 fund.

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

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

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

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

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

- 1 a. government attorneys entering appearances in the  
2 course of their official duties,  
3 b. pro se litigants,  
4 c. cases in small claims court or the state equivalent  
5 thereof, or  
6 d. claims seeking social security disability  
7 determinations, individual veterans' compensation or  
8 disability determinations, recoupment actions for  
9 government backed educational loans or mortgages,  
10 child custody and support cases, actions brought in  
11 forma pauperis, and any other filings designated by  
12 rule that involve minimal use of court resources and  
13 that customarily are not afforded the opportunity for  
14 a trial by jury.

15 7. Until June 30, 2015, the Office of Management and Enterprise  
16 Services shall, at the request of the Administrative Director of the  
17 Courts, transfer any monies from the Lengthy Trial Fund to the  
18 Supreme Court Administrative Revolving Fund or the Interagency  
19 Reimbursement Fund as necessary to perform the duties imposed upon  
20 the Supreme Court, Court of Civil Appeals and district courts by  
21 law.

22 SECTION 6. It being immediately necessary for the preservation  
23 of the public peace, health and safety, an emergency is hereby  
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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 Passed the House of Representatives the 20th day of May, 2015.

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Presiding Officer of the House  
of Representatives

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Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2015.

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Presiding Officer of the Senate

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