

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2726

By: Menz

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5
6 AS INTRODUCED

7 An Act relating to civil procedure; requiring court
8 to appoint an attorney for indigent tenants in
9 forcible entry and detainer actions; providing that
10 the Oklahoma Indigent Defense System is responsible
11 for implementation; providing state shall pay for
12 indigent representation; providing for priority of
13 assigning representation; defining indigent;
14 providing for codification; and providing an
15 effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1148.17 of Title 12, unless
19 there is created a duplication in numbering, reads as follows:

20 A. Courts shall appoint an attorney for an indigent tenant in
21 forcible entry and detainer actions. The Oklahoma Indigent Defense
22 System shall be responsible for the implementation of this section
23 and the state shall pay the costs of legal services provided by an
24 attorney appointed pursuant to this section. In implementing this
section, the Oklahoma Indigent Defense System shall assign priority
to providing legal representation to indigent tenants in those

1 counties in which the most evictions occur and to indigent tenants
2 who are disproportionately at risk of eviction.

3 B. For purposes of this section, "indigent" means any person
4 who, at any stage of a court proceeding, is:

5 1. Receiving one of the following types of public assistance:
6 temporary assistance for needy families, aged, blind, or disabled
7 assistance benefits, SoonerCare, pregnant women assistance benefits,
8 poverty-related veterans' benefits, food stamps or food stamp
9 benefits transferred electronically, refugee resettlement benefits,
10 Medicaid, or supplemental security income; or

11 2. Receiving an annual income, after taxes, of two-hundred
12 percent (200%) or less of the current federally established poverty
13 level.

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

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16 59-1-6862 JL 01/16/23

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