

1 **SENATE FLOOR VERSION**

2 March 26, 2024

3 ENGROSSED HOUSE
4 BILL NO. 3036

By: Stinson of the House

and

Howard of the Senate

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8 An Act relating to civil procedure; amending 12 O.S.
9 2021, Section 1148.7, which relates to forcible entry
10 and detainer jury trials; removing the option of jury
11 trial for forcible entry and detainer actions;
12 retaining the option for a jury trial for other
13 actions; repealing 12 O.S. 2021, Section 1148.8,
14 which relates to procedure where no jury is
15 available; and providing an effective date.

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

17 SECTION 1. AMENDATORY 12 O.S. 2021, Section 1148.7, is
18 amended to read as follows:

19 Section 1148.7 ~~if~~ A jury trial shall only be an option for
20 claims for the collection of rent or damages to the premises, or
21 claims arising under the Oklahoma Residential Landlord and Tenant
22 Act, and shall not be an option for forcible entry and detention
23 actions. For suits with actions for the forcible entry and
24 detention, or detention only, of real property, along with claims
for the collection of rent or damages to the premises, or claims
arising under the Oklahoma Residential Landlord and Tenant Act, and

1 a jury trial is requested, the suit for forcible entry and detention
2 shall be severed from the other claims in the suit and shall have
3 its own non-jury trial. For suits where a jury trial is an option,
4 if neither party demands a jury trial on or before the day of trial,
5 the court shall try the cause.

6 SECTION 2. REPEALER 12 O.S. 2021, Section 1148.8, is
7 hereby repealed.

8 SECTION 3. This act shall become effective November 1, 2024.

9 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
10 March 26, 2024 - DO PASS

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