

ENGROSSED HOUSE
BILL NO. 1181

BY: MONKS of the HOUSE

and

SHURDEN of the SENATE

AN ACT RELATING TO LIENS; AMENDING 42 O.S. 1981,
SECTION 172, WHICH RELATES TO ENFORCEMENT OF LIENS
BY CIVIL ACTION; PROVIDING FOR TERMINATION OF LIENS
NOT ENFORCED WITHIN ONE YEAR; AND PROVIDING AN
EFFECTIVE DATE.

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

SECTION 1. AMENDATORY 42 O.S. 1981, Section 172, is
amended to read as follows:

Section 172. A. Any lien provided for by this chapter may be enforced by civil action in the district court of the county in which the land is situated, and such action shall be brought within one (1) year from the time of the filing of said lien with the county clerk. The practice, pleading and proceedings in such action shall conform to the rules prescribed by the code of civil procedure as far as the same may be applicable; and in case of action brought, any lien statement may be amended by leave of court in furtherance of justice as pleadings may be in any matter, except as to the amount claimed.

B. Any lien provided for by this chapter on which foreclosure proceedings have not been instituted in the district court in which the land or property is situated within one (1) year from the time

of filing of said lien with the county clerk shall be extinguished
as a matter of law without any other action, except if the one-year
time period for foreclosing the lien is extended by written
agreement between the lien holder and property owner. Notice of the
agreement must be recorded with the county clerk.

SECTION 2. This act shall become effective September 1, 1991.

Passed the House of Representatives the 13th day of March, 1991.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1991.

President of the Senate