

SHORT TITLE: Abstractors; duties of abstractors and fees; adding language; liability for certain costs; holding harmless certain costs. Effective date. Emergency.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 870

By: Muegge

AS INTRODUCED

An Act relating to abstractors; amending 74 O.S.

1991, Section 227.20, which relates to duties of abstractors and fees; adding language; making certain companies liable for the cost of abstract pages; holding owners harmless for certain costs; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 227.20, is amended to read as follows:

Section 227.20 A. All abstractors shall furnish abstracts or copies as desired, to the persons applying therefor, in the order of application, without unnecessary delay, and for reasonable compensation pursuant to the requirements of the Oklahoma Abstractors Law, Section 227.10 et seq. of this title. All persons so engaged, whose business is hereby declared to stand upon a like footing with that of common carriers, who shall refuse so to do, if tender of payment is made to them of the amount due for such abstract or copy, not exceeding the said legal fees, as soon as such amount is ascertained, or of a sum adequate to cover said amount before the ascertainment, upon conviction, shall be guilty of a misdemeanor and shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) in any court of competent jurisdiction, and shall also

be liable in any action for damages, loss or injury which any person may suffer or incur by reason of failure to furnish such abstract or copy pursuant to the provisions of this section. The provisions of this section shall not apply to orders for abstracts on oil, gas, and other minerals.

B. When an abstract is ordered to be brought up-to-date by the owner of the real property which is the subject of the abstract, the cost of any pages relating to a pipeline company or an oil and gas company easement shall be paid by the pipeline company or oil and gas company. The abstractor shall bill the pipeline company or oil and gas company directly for the cost of those pages relating to their easements and shall hold harmless the owner of the real property for the cost of those pages. The abstractor shall not delay in providing the abstract to the owner of the real property merely because the pipeline company or oil and gas company has not yet paid for the pages of the abstract relating to the pipeline or oil and gas easements.

SECTION 2. This act shall become effective July 1, 1998.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-2-1904

SJ