

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 1857

By: BigHorse and Dorman

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7 COMMITTEE SUBSTITUTE

8 An Act relating to liens; requiring lienholder to  
9 show cause for filing a lien on or against an  
10 individual or business entity; providing for notice;  
11 providing for payment of costs; providing for  
12 codification; and providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 50 of Title 42, unless there is  
16 created a duplication in numbering, reads as follows:

17 A. Any person or entity claiming a lien under Title 42 of the  
18 Oklahoma Statutes, on or against an individual or business entity,  
19 shall be required to show in writing the cause for filing the lien  
20 when filing a written statement in the appropriate office of the  
21 county clerk. The lien shall not be effective until the certificate  
22 of lien is filed pursuant to this section.

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1 B. The county clerk shall notify in writing the party against  
2 whom the lien is claimed. The notice shall contain, but not be  
3 limited to, the following:

- 4 1. A statement that the notice is a notice of a lien;
- 5 2. The complete legal name, physical and mailing addresses, and  
6 telephone number of the claimant;
- 7 3. A description of the property and the complete physical and  
8 mailing address of the location of the property;
- 9 4. The date of the lien and the amount of the outstanding lien;  
10 and
- 11 5. The signature of the claimant which shall be notarized and,  
12 if applicable, the signature of the attorney of the claimant. If  
13 the claimant is a business, then the name of the contact person must  
14 be shown. In place of an original signature and notary seal, a  
15 digital or electronic signature or seal shall be accepted.

16 C. It is the responsibility of the claimant to pay for any  
17 costs associated with notifying the party against whom the lien is  
18 claimed, including, but not limited to, any costs for postage.

19 SECTION 2. This act shall become effective November 1, 2007.

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21 51-1-7012 MMP 02/08/07

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