

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 2095

By: Jackson

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6 AS INTRODUCED

7 An Act relating to property; amending 60 O.S. 2011,  
8 Section 832, which relates to the Residential  
9 Property Condition Disclosure Act; modifying  
10 definition; and providing an effective date.

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

14 SECTION 1. AMENDATORY 60 O.S. 2011, Section 832, is  
15 amended to read as follows:

16 Section 832. As used in this act:

17 1. "Offer to purchase" means an offer to purchase property made  
18 by a purchaser pursuant to a written contract;

19 2. "Seller" means one or more persons who are attempting to  
20 transfer a possessory interest in property ~~and who are either:~~

21 a. ~~represented by a real estate licensee; or~~

22 b. ~~not represented by a real estate licensee but receive~~

23 ~~a written request from the purchaser to deliver or~~

24 ~~cause to be delivered a disclaimer statement or~~

~~disclosure statement as such terms are defined in  
paragraphs 11 and 12 of this section;~~

3. "Purchaser" means one or more persons who are attempting to acquire a possessory interest in property;

4. "Real estate licensee" means a person licensed under the Oklahoma Real Estate License Code;

5. "Transfer" means a sale or conveyance, exchange or option to purchase by written instrument of a possessory interest in property for consideration;

6. "Person" means an individual, corporation, limited liability company, partnership, association, trust or other legal entity or any combination thereof;

7. "Contract" means a real estate purchase contract for the sale, conveyance or exchange of property, option to purchase property, or a lease with an option to purchase property;

8. "Property" means residential real property improved with not less than one nor more than two dwelling units;

9. "Defect" means a condition, malfunction or problem that would have a materially adverse effect on the monetary value of the property, or that would impair the health or safety of future occupants of the property;

10. "Disclosure" means a written declaration required by this act based on actual knowledge of the seller regarding certain

1 physical conditions of the property. A disclosure for purposes of  
2 this act is not a warranty, implied or express, of any kind;

3 11. "Disclaimer statement" means the statement described in  
4 paragraph 1 of subsection A of Section ~~3~~ 833 of this ~~act~~ title; and

5 12. "Disclosure statement" means the statement described in  
6 paragraph 2 of subsection A of Section ~~3~~ 833 of this ~~act~~ title.

7 SECTION 2. This act shall become effective November 1, 2013.

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9 54-1-5577 LRB 12/14/12

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