

# An Act

ENROLLED HOUSE  
BILL NO. 1826

By: Kannady and Cleveland of  
the House

and

Treat of the Senate

An Act relating to property; amending 60 O.S. 2011, Section 178.4, which relates to trusts; modifying certain permissible trust purpose, function or activity; defining term; amending 60 O.S. 2011, Section 857, which relates to covenants; requiring copies be provided; changing fee; and providing an effective date.

SUBJECT: Property

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

SECTION 1. AMENDATORY 60 O.S. 2011, Section 178.4, is amended to read as follows:

Section 178.4 A. Trusts created under the provisions of Sections 176 through 180.55 of this title or any amendments or extensions thereof shall not include any trust purpose, function nor activity primarily used in the distribution centers for intoxicating beverages and low-point beer as defined in Title 37 of the Oklahoma Statutes; nor shall it include a residential enterprise or function except as provided in Section 178.6 of this title. For the purposes of this section, "primarily used" shall mean more than fifty percent (50%) of the warehouse.

B. Nothing in this section shall preclude the financing, construction, ownership or leasing of a warehouse as a permissible trust purpose, function or activity, so long as such warehouse is

not primarily used ~~directly or indirectly~~ for housing, storage or distribution of intoxicating beverages or low-point beer.

SECTION 2. AMENDATORY 60 O.S. 2011, Section 857, is amended to read as follows:

Section 857. A copy or a certified copy of all the recorded covenants and restrictions of a real estate development shall be provided by the title company ~~upon the request of any closing the sale to the~~ buyer of property in the real estate development as a part of the closing of the real estate sale. The buyer may be charged no more than ~~Ten Dollars (\$10.00)~~ Twenty-five Dollars (\$25.00) for the copy, and the copy shall ~~be mailed no more than thirty (30) days from the date of the closing~~ either be provided prior to or at the time of closing either by mail to the buyer's last-known address, hand-delivered or electronically delivered.

SECTION 3. This act shall become effective November 1, 2018.

Passed the House of Representatives the 30th day of April, 2018.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 2nd day of May, 2018.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_