

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1707

				Of the printed Bill
Page	<u>2-6</u>	Section	<u>1, 3 & 4</u>	Lines <u>X</u>

Of the Engrossed Bill

On page 2, lines 5, 6 & 7, by deleting the language beginning with the word "to" after the stricken language on line 5 through the word "disinterested" before the word "outside" on line 6 and adding in lieu thereof the words "of impartial", and by inserting on line 7 after the word "shall" and before the word "make" the language "not be associated with the sheriff, to;

On page 2, lines 14-23, by deleting the language beginning with the word "an" on line 14 after the word "from" through the word "outside" on line 15 before the word "party" and adding in lieu thereof the word "the"; by deleting the word "estimates" on line 15, after the word "parties" and before the word "of" and adding in lieu thereof "referred to in subsection A of this section an estimate"; by deleting the word "appraised" on line 16, after the word "the" and before the word "current"; by deleting the word "subject" on line 16; by adding on line 16, after the word "property" and before the period "." The language "which is subject to such execution"; by adding on line 20, after the word "parties" and before the word "shall" the language ", as appraisers,"; by striking on line 21 the word "estimate" after the word "signed" and before the word "of" and adding in lieu thereof the word "appraisal"; on lines 21 and 22 by deleting and striking the language beginning with the word "appraised" on line 21 after the stricken word "real" through the word "subject" on line 22 before the word "property"; by adding on line 22 after the word "property" and before the period "." the language "based on the credible sources"; by deleting on line 23 the word "oath" after the word "written" and before the word "of" and adding in lieu thereof the word "affidavit"; and by inserting the following sentence after the period "." on line 23: "All objections to the sources used or the impartiality of the appraisers must be raised at the confirmation of the sale or all such objections shall be deemed to have been waived.";

On page 3, lines 3 & 4, by deleting the language beginning with the word "appraised" on line 3, after the word "the" through the word "values", by

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Scott McEachin

Adopted: _____

Reading Clerk

striking the language "of the property" on line 4 before the new language and adding in lieu thereof the language "signed appraisal and written affidavit";

On page 4, line 7 1/2, by adding a new section 3 to read as follows:

SEE ATTACHED

And renumbering subsequent sections;

On page 4, line 18, by deleting the word "property" after the word "the" and before the word "sale" and by adding after the word "sale" and before the period "." the language "of the property"; and

On page 6, lines 23 & 24, by deleting SECTION 4 and renumbering subsequent section.

1 "SECTION 1. AMENDATORY 12 O.S. 2011, Section 769, is
2 amended to read as follows:

3 Section 769. A. All sales of lands or tenements under
4 execution shall be held at the courthouse in the county in which
5 such lands or tenements are situated, unless some other place within
6 said county is designated by the judge having jurisdiction in the
7 case. No sheriff or other officer making the sale of property,
8 either personal or real, nor any appraiser of such property, shall
9 either directly or indirectly, purchase the same; and every purchase
10 so made shall be considered fraudulent and void.

11 B. On the date and at the time, together designated as the
12 property sale deadline, and place, designated as the property sale
13 location, designated in the notice of sale, the sheriff shall cause
14 the property to be sold at public auction to the highest bidder.
15 Bids for such sale may be submitted and accepted electronically
16 using a designated website or online auction service, by telephone
17 at a designated auction telephone number, in person at an open
18 public outcry auction, or by a combination of these methods, all of
19 which shall be considered in whole as the sale of the property."
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21 56-1-7287 SD 03/07/17
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