

**2nd**

<DateSubmitted>

HOUSE OF REPRESENTATIVES  
CONFERENCE COMMITTEE REPORT

Mr. President:  
Mr. Speaker:

The Conference Committee, to which was referred

**HB1826**

By: Kannady of the House and Treat of the Senate

Title: Property; requiring covenant copies be provided; changing fee; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

**SENATE CONFEREES**

Treat	_____
Leewright	_____
Bergstrom	_____
Daniels	_____
Pittman	_____
Brooks	_____
Stanislawski	_____

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

CONFERENCE COMMITTEE  
SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 1826

By: Kannady and Cleveland of  
the House

and

Treat of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

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.

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

1 Statutes; nor shall it include a residential enterprise or function  
2 except as provided in Section 178.6 of this title. For the purposes  
3 of this section, "primarily used" shall mean more than fifty percent  
4 (50%) of the warehouse.

5 B. Nothing in this section shall preclude the financing,  
6 construction, ownership or leasing of a warehouse as a permissible  
7 trust purpose, function or activity, so long as such warehouse is  
8 not primarily used ~~directly or indirectly~~ for housing, storage or  
9 distribution of intoxicating beverages or low-point beer.

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

12 Section 857. A copy or a certified copy of all the recorded  
13 covenants and restrictions of a real estate development shall be  
14 provided by the title company ~~upon the request of any~~ closing the  
15 sale to the buyer of property in the real estate development as a  
16 part of the closing of the real estate sale. The buyer may be  
17 charged no more than ~~Ten Dollars (\$10.00)~~ Twenty-five Dollars  
18 (\$25.00) for the copy, and the copy shall ~~be mailed no more than~~  
19 ~~thirty (30) days from the date of the closing~~ either be provided  
20 prior to or at the time of closing either by mail to the buyer's  
21 last-known address, hand-delivered or electronically delivered.

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