

1 **SENATE FLOOR VERSION**

2 February 27, 2020

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1310

By: Montgomery

6  
7 An Act relating to cities and towns; amending Section  
8 2, Chapter 326, O.S.L. 2014, as amended by Section 1,  
9 Chapter 52, O.S.L. 2017 (11 O.S. Supp. 2019, Section  
10 22-110.1), which relates to municipalities prohibited  
11 from requiring registration of real property;  
12 authorizing municipalities to collect certain  
13 information relating to public nuisances, dilapidated  
14 properties, or unlawful conduct; prohibiting  
15 municipalities to assess fee for collection of  
16 information; allowing for establishment of certain  
17 rules and regulations; and providing an effective  
18 date.

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

20 SECTION 1. AMENDATORY Section 2, Chapter 326, O.S.L.  
21 2014, as amended by Section 1, Chapter 52, O.S.L. 2017 (11 O.S.  
22 Supp. 2019, Section 22-110.1), is amended to read as follows:

23 Section 22-110.1. A. For purposes of promoting commerce and  
24 the equitable treatment of the citizens of this state, the  
registration of any real property by any municipality is declared to  
be a statewide concern and shall be prohibited pursuant to  
subsection B of this section.

1 B. No municipality shall enact or attempt to enforce through  
2 fees, civil fines or criminal penalties any ordinance, rule or  
3 regulation to require the registration of real property. Any  
4 ordinance, rule or regulation contrary to the provisions of this  
5 section, whether enacted prior to or after ~~the effective date of~~  
6 ~~this act~~ August 22, 2014, is declared null and void and  
7 unenforceable against every owner, purchaser, assignee, lessee,  
8 mortgagee or beneficiary of any interest in the real property.

9 C. Nothing in this section shall prohibit a municipality from  
10 creating a list of the property owners or the designees of property  
11 owners of residential, commercial or leased real property to ensure  
12 the public safety and welfare of its citizens.

13 1. Additionally, for the purpose of addressing public  
14 nuisances, dilapidated properties or other unlawful conduct in  
15 accordance with their general police powers, municipal governments  
16 are authorized to require the following:

- 17 a. contact information of persons or entities responsible  
18 for emergency contracts and property maintenance for  
19 property types outlined in this subsection, and  
20 b. the name of an instate person or entity authorized to  
21 receive notice and service of process for property  
22 types outlined in this subsection, along with their  
23 contact information.  
24

1        2. Municipal governments are prohibited from collecting a fee  
2 to administer the collection of information authorized in this  
3 section.

4        ~~D. Nothing in this section shall prohibit a municipality from~~  
5 ~~enacting and enforcing~~ Municipalities may establish rules and  
6 regulations to require real property owners to comply with the  
7 provisions of this section and established occupancy standards as  
8 set forth by ordinance and state law.

9        E. Nothing in this section shall prohibit a municipality from  
10 requiring the owner of property that is the subject of any abatement  
11 process provided in this title to provide the name, physical address  
12 and telephone number of an individual to receive and respond to  
13 communications concerning the property subject to the abatement  
14 process. No future action taken by the municipality shall be  
15 rendered ineffective due to the failure of the property owner to  
16 provide the information pursuant to this subsection. The  
17 municipality shall not assess any additional charge when requiring  
18 the information.

19        SECTION 2. This act shall become effective November 1, 2020.

20 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT  
21 February 27, 2020 - DO PASS AS AMENDED  
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