

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 58th Legislature (2021)

4   ENGROSSED SENATE  
5   BILL NO. 277

By: Montgomery of the Senate

and

6                               Pae and Waldron of the  
7                               House

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10       An Act relating to cities and towns; amending Section  
11       2, Chapter 326, O.S.L. 2014, as amended by Section 1,  
12       Chapter 52, O.S.L. 2017 (11 O.S. Supp. 2020, Section  
13       22-110.1), which relates to municipalities prohibited  
14       from requiring registration of real property;  
15       authorizing municipalities to collect certain  
16       information relating to public nuisances, dilapidated  
17       properties or unlawful conduct; prohibiting  
18       municipalities to assess fee for collection of  
19       information; requiring municipal governments to keep  
20       collected information confidential; updating  
21       statutory references; providing for codification; and  
22       providing an effective date.

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

24       SECTION 1.       AMENDATORY       Section 2, Chapter 326, O.S.L.  
2014, as amended by Section 1, Chapter 52, O.S.L. 2017 (11 O.S.  
Supp. 2020, Section 22-110.1), is amended to read as follows:

Section 22-110.1. A. For purposes of promoting commerce and  
the equitable treatment of the citizens of this state, the

1 registration of any real property by any municipality is declared to  
2 be a statewide concern and shall be prohibited pursuant to  
3 subsection B of this section.

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

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

16 Additionally, for the purpose of addressing public nuisances,  
17 dilapidated properties or other unlawful conduct in accordance with  
18 their general police powers, municipal governments may require:

19 1. Contact information of persons or entities responsible for  
20 emergency contracts and property maintenance for property outlined  
21 in this subsection; or

22 2. The name of a person or entity in this state authorized to  
23 receive notice and service of process for property outlined in this  
24 subsection, along with their contact information.

1       Municipal governments shall not collect a fee to administer the  
2 collection of information authorized in this section.

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

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

18       F. Information obtained by the municipal government under this  
19 section shall be confidential and not subject to disclosure under  
20 the Open Records Act.

21       SECTION 2.       NEW LAW       A new section of law to be codified  
22 in the Oklahoma Statutes as Section 24A.33 of Title 51, unless there  
23 is created a duplication in numbering, reads as follows:

1 Any contact information of persons or entities responsible for  
2 emergency contracts and property maintenance for property and the  
3 names of persons or entities in this state authorized to receive  
4 notice and service of process for property outlined in Section 22-  
5 110.1 of Title 11 of the Oklahoma Statutes shall be kept  
6 confidential by the requesting municipal governments.

7 SECTION 3. This act shall become effective November 1, 2021.

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9 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,  
10 dated 03/29/2021 - DO PASS.  
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