

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 POLICY COMMITTEE  
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 4119

By: West (Tammy)

7 POLICY COMMITTEE RECOMMENDATION

8 An Act relating to civil procedure; amending 12 O.S.  
9 2021, Section 1148.6, which relates defendant  
10 asserting title to real property; requiring bond;  
11 providing bond limit; updating statutory language;  
12 and providing an effective date.

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

14 SECTION 1. AMENDATORY 12 O.S. 2021, Section 1148.6, is  
15 amended to read as follows:

16 Section 1148.6. A. 1. In all cases in which the defendant  
17 wishes to assert title to the ~~land~~ real property or that the  
18 boundaries of the ~~land~~ real property are in dispute, he or she  
19 shall, before the time for the trial of the cause, file a verified  
20 answer or an affidavit which contains a full and specific statement  
21 of the facts constituting his or her defense of title or boundary  
22 dispute. If the defendant files such a verified answer or  
23 affidavit, the action shall proceed as one in ejectment before the  
24 proper division of the district court. If the defendant files an

1 affidavit, he or she shall file answer within ten (10) days after  
2 the date the affidavit is filed.

3 2. The court may make an order for the safekeeping of the real  
4 property subject to this action by ordering a defendant who asserts  
5 title to real property to give a bond, payable to the clerk of the  
6 court, not to exceed ten percent (10%) of the current market value  
7 of such real property, conditioned upon the compliance with the  
8 future order or judgment of the court with respect to the subject  
9 matter of the controversy.

10 B. In all cases in which the cause of action is based on an  
11 asserted breach of a lease by the defendant, or the termination or  
12 expiration of a lease under which the defendant claims an interest  
13 in the property in a verified answer or affidavit, the plaintiff may  
14 proceed with the forcible entry and detainer action instead of an  
15 ejectment action.

16 C. No answer by the defendant shall be required before the time  
17 for trial of the cause.

18 SECTION 2. This act shall become effective November 1, 2026.

19  
20 60-2-16616 AQH 02/19/26  
21  
22  
23  
24