

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 60th Legislature (2025)

4   ENGROSSED SENATE  
5   BILL NO. 925

                              By: Hamilton, Bullard, and  
                              Guthrie of the Senate

6   and

7   Osburn of the House

8  
9  
10       An Act relating to title theft; authorizing filing of  
11       certain notice; establishing requirements for filing  
12       of certain notice; specifying required contents of  
13       certain notice; authorizing charging of fees for  
14       recording certain notice; requiring county clerk to  
15       provide copy of certain notice to district attorney;  
16       authorizing refusal to file notice under certain  
17       circumstances; authorizing certain petition;  
18       establishing felony offenses for title theft;  
19       establishing elements of certain offenses;  
20       establishing punishments for certain offenses;  
21       requiring order of restitution for certain offenses;  
22       requiring county clerk to post certain signage;  
23       providing for codification; and providing an  
24       effective date.

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

22       SECTION 1.       NEW LAW       A new section of law to be codified  
23       in the Oklahoma Statutes as Section 311 of Title 16, unless there is  
24       created a duplication in numbering, reads as follows:

1       A. A person who is the victim of title theft as defined in  
2 Section 2 of this act may file of record a notice of fraudulent  
3 conveyance, duly verified by oath, setting forth the nature of the  
4 fraudulent conveyance. Such notice may be filed of record by the  
5 victim or by any other person acting on behalf of the victim who is  
6 under a disability or otherwise unable to assert the claim on his or  
7 her own behalf. Such notice shall serve as constructive notice that  
8 the conveyance is alleged to be fraudulent.

9       B. To be effective and entitled to be recorded, notice of a  
10 fraudulent conveyance shall contain an accurate and full description  
11 of the real property affected by the recorded fraudulent conveyance.  
12 Such notice of fraudulent conveyance shall be filed for record in  
13 the county clerk's office of the county or counties where the real  
14 property is situated. Except as provided in subsection D of this  
15 section, the county clerk shall accept any notice presented that  
16 describes real property located in the county and shall enter,  
17 record, and index such notice in the same manner that a deed is  
18 recorded. A county clerk may charge fees for the recording of the  
19 notice in accordance with the county clerk fee schedule set forth in  
20 Section 32 of Title 28 of the Oklahoma Statutes. The name or names  
21 of any victim appearing in such notice shall be entered as a grantee  
22 or grantees in such indexes.

1 C. Upon the filing of a notice of fraudulent conveyance, the  
2 county clerk shall deliver a copy of the notice to the district  
3 attorney for investigation and potential prosecution.

4 D. The county clerk may refuse to file a notice of fraudulent  
5 conveyance provided for in subsection B of this section if the clerk  
6 has a reasonable belief that the notice constitutes sham legal  
7 process as defined in subsection H of Section 1533 of Title 21 of  
8 the Oklahoma Statutes, or if the clerk has a reasonable belief that  
9 the notice is being presented as a slander of title to the real  
10 property. If the county clerk refuses to file a notice of  
11 fraudulent conveyance, the aggrieved party may petition the district  
12 court for a writ of mandamus to compel the county clerk to record  
13 the notice pursuant to the provisions of Section 75 of Title 16 of  
14 the Oklahoma Statutes.

15 SECTION 2. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 1534 of Title 21, unless there  
17 is created a duplication in numbering, reads as follows:

18 A. A person commits title theft when he or she:

19 1. Intentionally alters, falsifies, forges, or misrepresents a  
20 document pertaining to real property, with the intent to deceive,  
21 defraud, or unlawfully transfer or encumber the ownership rights of  
22 the owner of the real property;

23 2. With intent to defraud, misrepresents himself or herself as  
24 the owner or authorized representative of the owner of real property

1 to induce another person to rely on such false information to obtain  
2 ownership or possession of such real property; or

3 3. With intent to defraud, takes, obtains, steals, encumbers,  
4 or transfers title or an interest in real property by fraud,  
5 forgery, larceny, or any other fraudulent or deceptive practice.

6 B. A person who procures, files, or causes to be filed of  
7 public record any document pertaining to an interest in real  
8 property with intent to deceive another person as to the veracity of  
9 the document recorded shall be, upon conviction, guilty of a felony  
10 punishable by imprisonment in the custody of the Department of  
11 Corrections for a term not to exceed three (3) years, a fine not to  
12 exceed Five Thousand Dollars (\$5,000.00), or by both such  
13 imprisonment and fine. Additionally, the court shall order  
14 restitution to be paid to the aggrieved party as authorized by  
15 Section 991f of Title 22 of the Oklahoma Statutes.

16 C. A person who knowingly and willfully procures, files, or  
17 causes to be filed of public record a document pertaining to real  
18 property in this state with intent to defraud the owner of the real  
19 property or the owner of an interest in the real property shall be,  
20 upon conviction, guilty of a felony punishable by imprisonment in  
21 the custody of the Department of Corrections for a term not to  
22 exceed ten (10) years, a fine not to exceed Five Thousand Dollars  
23 (\$5,000.00), or by both such imprisonment and fine. Additionally,  
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1 the court shall order restitution to be paid to the aggrieved party  
2 as authorized by Section 991f of Title 22 of the Oklahoma Statutes.

3 D. A county clerk shall post a sign, in letters at least one  
4 (1) inch in height, that is clearly visible to the general public in  
5 or near the county clerk's office stating that it is a crime to  
6 knowingly file a fraudulent document pertaining to real property  
7 with the county clerk.

8 SECTION 3. This act shall become effective November 1, 2025.

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10 COMMITTEE REPORT BY: OVERSIGHT COMMITTEE ON JUDICIARY AND PUBLIC  
SAFETY, dated - 04/17/2025