

1 **SENATE FLOOR VERSION**

2 February 17, 2026

3 **AS AMENDED**

4 SENATE BILL NO. 2072

5 By: Hamilton

6 An Act relating to conveyances; amending Section 1,
7 Chapter 109, O.S.L. 2025 (16 O.S. Supp. 2025, Section
8 311), which relates to notice of fraudulent
9 conveyance; updating statutory reference; prohibiting
10 charging of fee for certain filing; requiring certain
11 notice to certain law enforcement agencies; and
12 providing an effective date.

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

14 SECTION 1. AMENDATORY Section 1, Chapter 109, O.S.L.
15 2025 (16 O.S. Supp. 2025, Section 311), is amended to read as
16 follows:

17 Section 311. A. A person who is the victim of title theft as
18 ~~defined set forth~~ in Section ~~2 1534~~ of ~~this act~~ Title 21 of the
19 Oklahoma Statutes may file of record a notice of fraudulent
20 conveyance, duly verified by oath, setting forth the nature of the
21 fraudulent conveyance. Such notice may be filed of record by the
22 victim or by any other person acting on behalf of the victim who is
23 under a disability or otherwise unable to assert the claim on his or
24 her own behalf. Such notice shall serve as constructive notice that
the conveyance is alleged to be fraudulent.

1 B. To be effective and entitled to be recorded, notice of a
2 fraudulent conveyance shall contain an accurate and full description
3 of the real property affected by the recorded fraudulent conveyance.
4 Such notice of fraudulent conveyance shall be filed for record in
5 the county clerk's office of the county or counties where the real
6 property is situated. Except as provided in subsection D of this
7 section, the county clerk shall accept any notice presented that
8 describes real property located in the county and shall enter,
9 record, and index such notice in the same manner that a deed is
10 recorded. A county clerk may charge fees for the recording of the
11 notice in accordance with the county clerk fee schedule set forth in
12 Section 32 of Title 28 of the Oklahoma Statutes. No fee shall be
13 charged by the county clerk or court clerk for the filing of an
14 order to quiet title to restore title to the rightful property owner
15 due to a fraudulent conveyance. The name or names of any victim
16 appearing in such notice shall be entered as a grantee or grantees
17 in such indexes.

18 C. Upon the filing of a notice of fraudulent conveyance, the
19 county clerk shall deliver a copy of the notice to the district
20 attorney and the local law enforcement agency in the jurisdiction
21 where the property is located for investigation and potential
22 prosecution.

23 D. The county clerk may refuse to file a notice of fraudulent
24 conveyance provided for in subsection B of this section if the clerk

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

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

11 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
12 February 17, 2026 - DO PASS AS AMENDED
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