

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1235

By: Rader

6 AS INTRODUCED

7 An Act relating to personal property; providing
8 legislative intent; defining terms; prohibiting
9 municipality from seizing certain personal property;
10 requiring municipality to provide certain notices;
11 requiring certain removed personal property to be
12 maintained by municipality for certain period;
13 prohibiting county from seizing certain personal
14 property; requiring county to provide certain
15 notices; requiring certain removed personal property
16 to be maintained by county for certain period;
17 prohibiting state from seizing certain personal
18 property; requiring state to provide certain notices;
19 requiring certain removed personal property to be
20 maintained by state for certain period; providing for
21 noncodification; providing for codification; and
22 declaring an emergency.

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

24 SECTION 1. NEW LAW A new section of law not to be
25 codified in the Oklahoma Statutes reads as follows:

26 The Legislature finds that the Fourteenth Amendment to the
27 United States Constitution guarantees that no state shall make or
28 enforce any law which shall abridge the privileges or immunities of
29 the United States; nor shall any state deprive any person of life,
30 liberty, or property, without due process of law; nor deny to any

1 person within its jurisdiction the equal protection of the laws.

2 Based on this finding, it is the intent of the Legislature to ensure
3 that the provisions of the Fourteenth Amendment are fully
4 implemented within this state.

5 SECTION 2. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 22-110.2 of Title 11, unless
7 there is created a duplication in numbering, reads as follows:

8 A. As used in this section:

9 1. "Abandoned" means personal property that was left by an
10 owner who intentionally relinquishes all rights to its control; and

11 2. "Unabandoned" means personal property that remains in the
12 possession of the owner of such property, even if left temporarily
13 unattended in a public space.

14 B. No municipality shall seize personal property located on
15 public property absent an objectively reasonable belief that the
16 property is abandoned, presents an immediate threat to public health
17 or safety, is evidence of a crime, or is contraband.

18 C. Prior to seizing any abandoned personal property located on
19 public property on the belief that it is abandoned, the municipality
20 shall post written notice in a prominent place in proximity to such
21 property to be seized that the property has been deemed abandoned
22 and is to be seized within forty-eight (48) hours. Such written
23 notice shall advise where the property will be kept upon seizure and
24 when and how it may be claimed by the rightful owner.

1 D. 1. Prior to removing any unabandoned personal property
2 located on public property, the municipality shall provide verbal
3 notification to the rightful owner of such property that such
4 personal property is located on public property and may be subject
5 to removal. The municipality shall deliver such verbal notification
6 twice, once at least forty-eight (48) and once at least twenty-four
7 (24) hours prior to the removal of such property.

8 2. If the owner of such unabandoned personal property has not
9 removed such from public property by the time of removal, the
10 municipality shall remove the property and post written notice in a
11 prominent place in proximity to where the removal occurred. Such
12 written notice shall advise where the property will be kept and when
13 and how it may be claimed by the rightful owner.

14 E. 1. Unabandoned personal property located on public property
15 removed by a municipality shall be maintained in a secure location
16 by the municipality for a period not less than ninety (90) days. If
17 after such period the property remains unclaimed by the rightful
18 owner, the municipality may dispose of such property.

19 2. The municipality shall not dispose of the following
20 property, even after the ninety-day period has elapsed:

- 21 a. birth certificates,
- 22 b. driver licenses, passports, or other forms of state-
- 23 issued or nationally issued identification, or
- 24 c. unexpired prescription medication.

1 SECTION 3. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 455.1 of Title 19, unless there
3 is created a duplication in numbering, reads as follows:

4 A. As used in this section:

5 1. "Abandoned" means personal property that was left by an
6 owner who intentionally relinquishes all rights to its control; and

7 2. "Unabandoned" means personal property that remains in the
8 possession of the owner of such property, even if left temporarily
9 unattended in a public space.

10 B. No county shall seize personal property located on public
11 property absent an objectively reasonable belief that the property
12 is abandoned, presents an immediate threat to public health or
13 safety, is evidence of a crime, or is contraband.

14 C. Prior to seizing any abandoned personal property located on
15 public property on the belief that it is abandoned, the county shall
16 post written notice in a prominent place in proximity to such
17 property to be seized that the property has been deemed abandoned
18 and is to be seized within forty-eight (48) hours. Such written
19 notice shall advise where the property will be kept upon seizure and
20 when and how it may be claimed by the rightful owner.

21 D. 1. Prior to removing any unabandoned personal property
22 located on public property, the county shall provide verbal
23 notification to the rightful owner of such property that such
24 personal property is located on public property and may be subject

1 to removal. The county shall deliver such verbal notification
2 twice, once at least forty-eight (48) and once at least twenty-four
3 (24) hours prior to the removal of such property.

4 2. If the owner of such unabandoned personal property has not
5 removed such from public property by the time of removal, the county
6 shall remove the property and post written notice in a prominent
7 place in proximity to where the removal occurred. Such written
8 notice shall advise where the property will be kept and when and how
9 it may be claimed by the rightful owner.

10 E. 1. Unabandoned personal property located on public property
11 removed by a county shall be maintained in a secure location by the
12 county for a period not less than ninety (90) days. If after such
13 period the property remains unclaimed by the rightful owner, the
14 county may dispose of such property.

15 2. The county shall not dispose of the following property, even
16 after the ninety-day period has elapsed:

- 17 a. birth certificates,
- 18 b. driver licenses, passports, or other forms of state-
19 issued or nationally issued identification, or
- 20 c. unexpired prescription medication.

21 SECTION 4. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 1097.1 of Title 64, unless there
23 is created a duplication in numbering, reads as follows:

24 A. As used in this section:

1 1. "Abandoned" means personal property that was left by an
2 owner who intentionally relinquishes all rights to its control; and

3 2. "Unabandoned" means personal property that remains in the
4 possession of the owner of such property, even if left temporarily
5 unattended in a public space.

6 B. This state shall not seize personal property located on
7 public property absent an objectively reasonable belief that the
8 property is abandoned, presents an immediate threat to public health
9 or safety, is evidence of a crime, or is contraband.

10 C. Prior to seizing any abandoned personal property located on
11 public property on the belief that it is abandoned, the state shall
12 post written notice in a prominent place in proximity to such
13 property to be seized that the property has been deemed abandoned
14 and is to be seized within forty-eight (48) hours. Such written
15 notice shall advise where the property will be kept upon seizure and
16 when and how it may be claimed by the rightful owner.

17 D. 1. Prior to removing any unabandoned personal property
18 located on public property, the state shall provide verbal
19 notification to the rightful owner of such property that such
20 personal property is located on public property and may be subject
21 to removal. The state shall deliver such verbal notification twice,
22 once at least forty-eight (48) and once at least twenty-four (24)
23 hours prior to the removal of such property.
24

1 2. If the owner of such unabandoned personal property has not
2 removed such from public property by the time of removal, the state
3 shall remove the property and post written notice in a prominent
4 place in proximity to where the removal occurred. Such written
5 notice shall advise where the property will be kept and when and how
6 it may be claimed by the rightful owner.

7 E. 1. Unabandoned personal property located on public property
8 removed by the state shall be maintained in a secure location by the
9 municipality for a period not less than ninety (90) days. If after
10 such period the property remains unclaimed by the rightful owner,
11 the state may dispose of such property.

12 2. The state shall not dispose of the following property, even
13 after the ninety-day period has elapsed:

- 14 a. birth certificates,
- 15 b. driver licenses, passports, or other forms of state-
16 issued or nationally issued identification, or
- 17 c. unexpired prescription medication.

18 SECTION 5. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

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