

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3495

By: Duel

6 AS INTRODUCED

7 An Act relating to property; amending 60 O.S. 2021,
8 Section 121, as last amended by Section 1, Chapter
9 373, O.S.L. 2024 (60 O.S. Supp. 2025, Section 121),
which relates to alien ownership of land; making
certain acts unlawful; providing penalties; defining
term; and providing an effective date.

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

12 SECTION 1. AMENDATORY 60 O.S. 2021, Section 121, as last
13 amended by Section 1, Chapter 373, O.S.L. 2024 (60 O.S. Supp. 2025,
14 Section 121), is amended to read as follows:

15 Section 121. A. As used in Sections 121 through 127 of this
16 title:

17 1. "Deed" means any instrument in writing whereby land is
18 assigned, transferred, or otherwise conveyed to, or vested in, the
19 person coming into title or, at his or her direction, any other
20 person;

21 2. "Foreign government adversary" means a government other than
22 the federal government of the United States, the government of any
23 state, political subdivision of the state, tribe, territory, or

1 possession of the United States and designated by the United States
2 Secretary of State as hostile or a Country of Particular Concern
3 (CPC);

4 3. "Foreign government enterprise" means a business entity,
5 sovereign wealth fund, or state-backed investment fund in which a
6 foreign government adversary holds a controlling interest;

7 4. "Foreign government entity" means a government other than
8 the federal government of the United States, the government of any
9 state, political subdivision of the state, tribe, territory, or
10 possession of the United States; and

11 5. "Land" means the same as defined in Section 6 of this title,
12 but shall not include oil, gas, other minerals, or any interest
13 therein.

14 B. No alien or any person who is not a citizen of the United
15 States or foreign government adversary shall acquire title to or own
16 land in this state either directly or indirectly through a business
17 entity, trust, or foreign government enterprise, except as
18 hereinafter provided, but they shall have and enjoy in this state
19 such rights as to personal property as are, or shall be, accorded a
20 citizen of the United States under the laws of the nation to which
21 such alien belongs, or by the treaties of such nation with the
22 United States, except as the same may be affected by the provisions
23 of Section 121 et seq. of this title or the Constitution of this
24 state. Provided, however, the requirements of this subsection shall

1 not apply to a business entity that is engaged in regulated
2 interstate commerce or has a national security agreement with the
3 Committee on Foreign Investment in the United States (CFIUS) in
4 accordance with federal law.

5 C. On or after November 1, 2023, any deed recorded with a
6 county clerk shall include as an exhibit to the deed an affidavit
7 executed by the person, the person's attorney-in-fact, a court-
8 appointed guardian or personal representative, an authorized officer
9 of the entity, or trustee of the trust coming into title attesting
10 that the person, business entity, or trust is obtaining the land in
11 compliance with the requirements of this section and that no funding
12 source is being used in the sale or transfer in violation of this
13 section or any other state or federal law. A county clerk shall not
14 accept and record any deed without an affidavit as required by this
15 section which is duly notarized pursuant to Title 49 of the Oklahoma
16 Statutes. The requirements of this subsection shall not apply to a:

17 1. Deed which, without additional consideration, confirms,
18 corrects, modifies, or supplements a deed previously recorded;

19 2. Deed made by a grantor to cure a defect in title or
20 effectuate a disclaimer of interest in real property;

21 3. Transfer-on-death deed made by a grantor designating a
22 grantee beneficiary pursuant to the Nontestamentary Transfer of
23 Property Act, Section 1251 et seq. of Title 58 of the Oklahoma
24 Statutes;

1 4. State or federal court order in an action to quiet title or
2 to cure a defect in title;

3 5. State or federal court order or decree in probate,
4 partition, quiet title, and divorce actions;

5 6. Deed which secures a debt or other obligation, or which
6 releases such property as security for a debt or other obligation;

7 7. Deed of dedication to the public; or

8 8. Deed in favor of the United States or any of its political
9 subdivisions, a state or any of its political subdivisions, or a
10 tribe.

11 The applicable exemption shall be shown on the face of the deed
12 prior to the recording of the deed, and no affidavit shall be
13 required.

14 D. The Attorney General shall promulgate a separate affidavit
15 form for individuals and for business entities or trusts to comply
16 with the requirements of this section. The Attorney General may
17 establish additional exemptions which the Attorney General deems
18 necessary to substantially comply with the requirements of this
19 section. The county clerk may accept an affidavit in substantial
20 compliance with the affidavit form promulgated by the Attorney
21 General.

22 E. 1. It shall be unlawful for any person to knowingly and
23 willfully purchase, attempt, endeavor and conspire, or endeavor or
24 conspire to obtain and purchase or obtain or purchase, any property

1 on behalf of or at the request or demand of any person, by using a
2 straw person or party.

3 2. Any person who violates the provisions of paragraph 1 of
4 this subsection shall, upon conviction, be guilty of a felony
5 punishable by imprisonment in the custody of the Department of
6 Corrections for a term not to exceed two (2) years, or by a fine of
7 not more than One Thousand Dollars (\$1,000.00), or by both such fine
8 and imprisonment.

9 3. As used in paragraph 1 of this subsection, "straw person or
10 party" means a third party who is put up in name only to take part
11 in a transaction. This term includes, but is not limited to, a
12 nominal party to a transaction, one who acts as an agent for another
13 for the purpose of taking title to property and executing whatever
14 documents and instruments the principal may direct respecting the
15 property, or a person who purchases property for another to conceal
16 the identity of the real purchaser or to accomplish some purpose
17 otherwise not allowed.

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

20 60-2-13929 GRS 01/05/26