

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 4119

By: West (Tammy)

AS INTRODUCED

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

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

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

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

1 file answer within ten (10) days after the date the affidavit is  
2 filed.

3 B. In all cases in which the cause of action is based on an  
4 asserted breach of a lease by the defendant, or the termination or  
5 expiration of a lease under which the defendant claims an interest  
6 in the property in a verified answer or affidavit, the plaintiff may  
7 proceed with the forcible entry and detainer action instead of an  
8 ejectment action.

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

11 D. The court shall make an order for the safekeeping of the  
12 real property subject to this action by ordering a defendant who  
13 asserts title to real property to give a bond, payable to the clerk  
14 of the court, not to exceed the current market value of such real  
15 property, conditioned upon the compliance with the future order or  
16 judgment of the court with respect to the subject matter of the  
17 controversy.

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