

Bill Summary
2nd Session of the 60th Legislature

Bill No.:	SB 1965
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Request No.	3474
Author:	Sen. Stewart
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Bill Analysis

SB 1965 requires any person filing a memorandum of agreement (MOA) with a county clerk to provide fully executed real estate contract, option agreement, or other written instrument that satisfies the statute of frauds. Such a person must also file an accurate and full legal description of the real property affected by the MOA as well as a sworn affidavit affirming the validity of the real estate contract. The measure authorizes property owners that have a fraudulent MOA filed on their property to request the county clerk to remove the MOA from the property by filing a sworn affidavit affirming the invalidity of the real estate contract. The county clerk shall request the person who filed the MOA to provide proof that the MOA is not fraudulent upon receiving the request to remove the MOA. The measure provides that any person who knowingly files a fraudulent MOA shall be subject to a maximum fine of \$1,000.00 and/or a term of imprisonment not to exceed 1 year.

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