

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 4119

By: West (Tammy)

6 AS INTRODUCED

7 An Act relating to civil procedure; amending 12 O.S.
8 2021, Section 1148.6, which relates defendant
9 asserting title to real property; requiring bond;
providing bond limit; and providing an effective
date.

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

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

15 Section 1148.6. A. In all cases in which the defendant wishes
16 to assert title to the land real property or that the boundaries of
17 the land real property are in dispute, he or she shall, before the
18 time for the trial of the cause, file a verified answer or an
19 affidavit which contains a full and specific statement of the facts
20 constituting his or her defense of title or boundary dispute. If
21 the defendant files such a verified answer or affidavit, the action
22 shall proceed as one in ejectment before the proper division of the
23 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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20 60-2-15733 JL 01/07/26
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