

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1217

By: Daniels

AS INTRODUCED

An Act relating to real estate brokers; amending 59 O.S. 2021, Section 858-355.1, which relates to brokerage agreements; prohibiting requirement to enter into certain agreement prior to certain actions; prohibiting requirement for broker to enter into certain agreement to show certain real estate; allowing certain brokers to require certain associate to enter into certain agreement prior to certain action; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2021, Section 858-355.1, is amended to read as follows:

Section 858-355.1. A. All brokerage agreements shall incorporate as material terms the duties and responsibilities set forth in Section 858-353 of The Oklahoma Real Estate License Code.

B. A broker may provide brokerage services to one or both parties in a transaction.

C. A broker who is providing brokerage services to one or both parties shall describe and disclose in writing the broker's duties and responsibilities set forth in Section 858-353 of The Oklahoma

1 Real Estate License Code prior to the party or parties signing a  
2 contract to sell, purchase, lease, option, or exchange real estate.

3 D. A firm that provides brokerage services to both parties in a  
4 transaction shall provide written notice to both parties that the  
5 firm is providing brokerage services to both parties to a  
6 transaction prior to the parties signing a contract to purchase,  
7 lease, option, or exchange real estate.

8 E. If a broker intends to provide fewer brokerage services than  
9 those required to complete a transaction, the broker shall provide  
10 written disclosure to the party for whom the broker is providing  
11 brokerage services. Such disclosure shall include a description of  
12 those steps in the transaction for which the broker will not provide  
13 brokerage services, and also state that the broker assisting the  
14 other party in the transaction is not required to provide assistance  
15 with these steps in any manner.

16 F. A broker shall not be required to enter into a written  
17 brokerage agreement prior to showing a property for purchase, lease,  
18 option, or exchange.

19 SECTION 2. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 858-355.2 of Title 59, unless  
21 there is created a duplication in numbering, reads as follows:

22 A. A broker shall not be required to enter into a brokerage  
23 agreement with a buyer prior to showing real estate for purchase,  
24 lease, option, or exchange.

1       B. A managing broker or proprietor broker may choose to require  
2 a branch broker, broker associate, or sales associate that is  
3 employed by, working with, or an independent contractor for the  
4 managing broker or proprietor broker to enter into a brokerage  
5 agreement with a buyer prior to showing real estate for purchase,  
6 lease, option, or exchange.

7       SECTION 3. This act shall become effective November 1, 2026.  
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