

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1965

By: Stewart

AS INTRODUCED

An Act relating to conveyances; requiring certain documentation when filing a memorandum of agreement; authorizing property owners to request removal upon certain showing; requiring county clerks to notify filers in certain circumstances; creating misdemeanor offense; providing for penalties; providing for civil liability; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 312 of Title 16, unless there is created a duplication in numbering, reads as follows:

A. Any person who files a memorandum of agreement (MOA) with a county clerk in this state shall provide the following with such filing:

1. A fully executed real estate contract, option agreement, or other written instrument that satisfies the statute of frauds that establishes the filer's valid contractual interest in the real property affected by the MOA;

1 2. An accurate and full legal description of the real property
2 affected by the MOA and the purchase price of the property or price
3 per acre of the property affected by the MOA; and

4 3. A sworn affidavit affirming the validity of the real estate
5 contract and that the filing is being made in good faith.

6 B. A property owner who has a fraudulent MOA filed against his
7 or her property may request the county clerk to remove the MOA from
8 the property by filing a sworn affidavit affirming the invalidity of
9 the real estate contract and that the filing is being made in good
10 faith.

11 C. Upon the filing of an affidavit pursuant to subsection B of
12 this section, the county clerk shall notify the filer of the MOA and
13 request proof that the MOA is not fraudulent. If proof that the MOA
14 is not fraudulent is not received by the county clerk within fifteen
15 (15) days of the day of notification by the county clerk, the county
16 clerk shall remove the MOA from the property's record.

17 D. 1. Any person who knowingly or willfully files a fraudulent
18 or unsupported MOA shall, upon conviction, be guilty of a
19 misdemeanor and be subject to not more than one (1) year of
20 imprisonment in the county jail, a fine not to exceed One Thousand
21 Dollars (\$1,000.00), or both such imprisonment and fine.

22 2. Property owners may recover actual and punitive damages,
23 including any lost sale value of the property, attorney fees, and
24 costs.

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

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