

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 2072

By: Hamilton

AS INTRODUCED

An Act relating to conveyances; amending Section 1, Chapter 109, O.S.L. 2025 (16 O.S. Supp. 2025, Section 311), which relates to notice of fraudulent conveyance; updating statutory reference; prohibiting charging of fee for certain filing; requiring certain notice to certain law enforcement agencies; and providing an effective date.

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

SECTION 1. AMENDATORY Section 1, Chapter 109, O.S.L. 2025 (16 O.S. Supp. 2025, Section 311), is amended to read as follows:

Section 311. A. A person who is the victim of title theft as ~~defined set forth~~ in Section ~~2~~ 1534 of ~~this act~~ Title 21 of the Oklahoma Statutes may file of record a notice of fraudulent conveyance, duly verified by oath, setting forth the nature of the fraudulent conveyance. Such notice may be filed of record by the victim or by any other person acting on behalf of the victim who is under a disability or otherwise unable to assert the claim on his or

1 her own behalf. Such notice shall serve as constructive notice that
2 the conveyance is alleged to be fraudulent.

3 B. To be effective and entitled to be recorded, notice of a
4 fraudulent conveyance shall contain an accurate and full description
5 of the real property affected by the recorded fraudulent conveyance.
6 Such notice of fraudulent conveyance shall be filed for record in
7 the county clerk's office of the county or counties where the real
8 property is situated. Except as provided in subsection D of this
9 section, the county clerk shall accept any notice presented that
10 describes real property located in the county and shall enter,
11 record, and index such notice in the same manner that a deed is
12 recorded. A county clerk may charge fees for the recording of the
13 notice in accordance with the county clerk fee schedule set forth in
14 Section 32 of Title 28 of the Oklahoma Statutes. No fee shall be
15 charged by the county clerk or court clerk for the filing of an
16 order to quiet title to restore title to the rightful property
17 owner. The name or names of any victim appearing in such notice
18 shall be entered as a grantee or grantees in such indexes.

19 C. Upon the filing of a notice of fraudulent conveyance, the
20 county clerk shall deliver a copy of the notice to the district
21 attorney and the local law enforcement agency in the jurisdiction
22 where the property is located for investigation and potential
23 prosecution.

1 D. The county clerk may refuse to file a notice of fraudulent
2 conveyance provided for in subsection B of this section if the clerk
3 has a reasonable belief that the notice constitutes sham legal
4 process as defined in subsection H of Section 1533 of Title 21 of
5 the Oklahoma Statutes, or if the clerk has a reasonable belief that
6 the notice is being presented as a slander of title to the real
7 property. If the county clerk refuses to file a notice of
8 fraudulent conveyance, the aggrieved party may petition the district
9 court for a writ of mandamus to compel the county clerk to record
10 the notice pursuant to the provisions of Section 75 of Title 16 of
11 the Oklahoma Statutes.

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

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