

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1465

By: Ikley-Freeman

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6 AS INTRODUCED

7 An Act relating to rental property; establishing a
8 rental property registry in the Oklahoma Tax
9 Commission for certain purpose; limiting scope of
10 property registration; mandating properties to be
11 registered; setting four or more properties as
12 minimum number of properties required to register;
13 stating content of registration information;
14 authorizing registration fee; setting maximum amount
15 of fee; directing promulgation of forms and fees;
16 exempting registry from Open Records Act; making
17 certain information confidential; prohibiting release
18 by other persons receiving information; stating
19 person authorized to access registry information;
20 providing authority for the Oklahoma Tax Commission
21 to establish certain registry for certain purposes;
22 providing for codification; and providing an
23 effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 116A of Title 41, unless there
21 is created a duplication in numbering, reads as follows:

22 A. There is hereby created under the authority of the Oklahoma
23 Tax Commission an annual registry to be called the "Real Estate
24 Property Manager and Landlord Registry". The registry shall be for

1 the purpose of enforcing the Oklahoma Residential Landlord and
2 Tenant Act and facilitating communications between current renters
3 as provided in Section 116 of Title 41 of the Oklahoma Statutes, or
4 municipal and county officials where such rental property is
5 located, and the actual owners or managers of rental properties
6 located in this state.

7 B. The registry shall be only for those properties where the
8 owner, whether an individual or business entity, has acquired four
9 or more rental properties or units available for rent in this state
10 and is eligible to claim rental property income as business income
11 on tax returns. Any business organization or person that:

12 1. Holds title to;

13 2. Manages;

14 3. Collects rents for; or

15 4. Acts in any capacity as, or for, an owner, officer,
16 director, general manager, property manager, leasing agent, or an
17 agent of any owner, officer, director or manager of,

18 real property with a combined total of four or more separate
19 rental properties or units in the same city or county, including
20 residential homes, apartment complexes, duplexes, fourplexes or
21 condominiums shall be required to register for each property with
22 the Oklahoma Tax Commission annually.

23 C. Items required in the register shall include:
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1 1. The physical address and mailing address of each rental
2 property. Apartment complexes, duplexes, and fourplexes shall be
3 deemed one rental property for purposes of registration;

4 2. Each property owner's name, address, phone number, and the
5 location where each such person may be contacted;

6 3. The business organization's name, physical address, mailing
7 address, phone, tax identification number and the location where
8 each owner, director, officer, partner or manager of such
9 organization may be contacted;

10 4. The name of each property manager whether an individual or
11 business, their address, phone number, the physical address of each
12 rental property managed by such manager, and the location where such
13 manager may be contacted;

14 5. The total number of rental properties owned or managed in
15 this state; and

16 6. The legal service agent in this state for the business
17 organization, their address, phone number and the location where
18 such agent may be contacted.

19 D. The Commission may charge a fee not to exceed Thirty-five
20 Dollars (\$35.00) annually for each property registration. The
21 Commission shall promulgate rules, forms and fees for registering
22 rental properties as provided by this act; provided, rental
23 properties shall only be registered when the property is part of
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1 four or more separate properties or units that are owned or managed
2 by the same business entity or person.

3 E. The registry provided in this section shall be exempt from
4 the Open Records Act and shall be confidential from public
5 inspection and distribution. In addition, all information contained
6 in the registry provided in this act shall be confidential from
7 release to the public by any person authorized to receive
8 information, or who is provided information, from the registry.
9 Only the county assessor, tax commission, current renter living in a
10 particular rental property, and municipal or county official where a
11 rental property is located may access the registry information.

12 SECTION 2. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 116A of Title 68, unless there
14 is created a duplication in numbering, reads as follows:

15 For the purposes of assisting the county assessor, current
16 renter living in a particular rental property, or a municipal or
17 county official where a rental property is located, the Oklahoma Tax
18 Commission is authorized to create a registry as authorized in
19 Section 1 of this act and is further authorized to make available to
20 the county assessor, current renter living in a particular rental
21 property, or municipal or county official where a rental property is
22 located information relating to the specific rental property listed
23 on the registry. The registry shall be called the "Property Manager
24 and Landlord Owner Registry". The registry information and purposes

1 shall be as provided in Section 1 of this act. The registry is
2 exempt from the Open Records Act and shall be confidential from
3 public inspection and distribution. The provisions of Section 1 of
4 this act for fees, forms and rules shall apply.

5 SECTION 3. This act shall become effective November 1, 2020.

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