

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 58<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB 3209</b>
<b>Version:</b>	<b>INT</b>
<b>Request Number:</b>	<b>9712</b>
<b>Author:</b>	<b>Rep. Nichols</b>
<b>Date:</b>	<b>2/21/2022</b>
<b>Impact:</b>	<b>No Significant Impact Anticipated</b>

**Research Analysis**

HB 3209 creates the Municipal Code Lien Enforcement Act of 2022 to provide municipalities with a framework to use judicial in rem foreclosure proceedings to enforce a municipal code lien levied against real property for nonpayment of fees and enforcement costs related to failure to comply with state and local housing and building codes. The procedures established by the act are only applicable if a municipality elects to adopt the provisions of the act through the adoption of an ordinance or resolution.

The measure also establishes certain guidelines such as:

- Prohibiting the provisions of this act from applying to owner-occupied property or to constitute an action for personal liability against the owner of the real property;
- Establishing that municipal code liens are superior to all other liens except tax liens;
- Establishing the county code enforcement director as the person responsible for filing the required notices and petitions to initiate in rem foreclosure proceedings; and
- Outlining uniform timeframes and information that is required to be included on the petition notice.

Prepared By: Keana Swadley

**Fiscal Analysis**

In consultation with the Oklahoma Municipal League (OML), the measure provides that a municipality may employ the provisions of the act, but there is no requirement to do so. Municipalities opting to apply the provisions will need to adhere to the provisions. OML indicates that the provisions of the measure would not result in measurable cost or savings changes as compared to current processes.

Prepared By: Mark Tygret

**Other Considerations**

None.

