

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2288

By: Pfeiffer

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6 AS INTRODUCED

7 An Act relating to conveyances; defining
8 discriminatory restriction; prohibiting
9 discriminatory restrictions in real estate
10 transactions; providing discriminatory restrictions
11 are unenforceable; providing that a court, upon
petition, may order the removal of discriminatory
provisions from recorded conveyances or instruments;
providing for codification; and providing an
effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 54 of Title 16, unless there is
17 created a duplication in numbering, reads as follows:

18 As used in this section, the term "discriminatory restriction"
19 means a provision in a real estate transaction, conveyance or
20 instrument recorded in this state which restricts the ownership,
21 occupancy, or use of any real estate in this state on the basis of
22 a characteristic that includes, but is not limited to, race, color,
23 national origin, religion, gender, or physical disability.

1 A discriminatory restriction is not enforceable in this state,
2 and all discriminatory restrictions contained in any real estate
3 transaction, conveyance or instrument recorded in this state are
4 unlawful, are unenforceable, and are declared null and void. Any
5 discriminatory restriction contained in a previously recorded real
6 estate transaction, conveyance or instrument is extinguished and
7 severed from the recorded real estate transaction, conveyance or
8 instrument and the remainder of the title transaction remains
9 enforceable and effective.

10 SECTION 2. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 1149 of Title 12, unless there
12 is created a duplication in numbering, reads as follows:

13 A person, or a designated agent, who owns real estate or an
14 interest in real estate which includes a recorded real estate
15 transaction, conveyance or instrument containing a discriminatory
16 provision may request the removal of the discriminatory provision
17 from the instrument by petitioning the district court in which the
18 real property is located. If the court determines that the
19 provision in question is discriminatory, as defined by Section 1 of
20 this act, the court shall issue an order declaring that provision to
21 be null and void and shall order the office of the county clerk of
22 the county in which the real property is located to remove the
23 discriminatory provision from the recorded real estate transaction,
24 conveyance or instrument.

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SECTION 3. This act shall become effective November 1, 2023.

59-1-6947 JL 01/11/23