

# SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. 1

\_\_\_\_\_

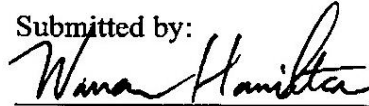
COMMITTEE AMENDMENT

\_\_\_\_\_

(Date)

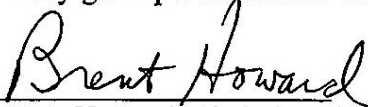
I move to amend Senate Bill No. 925 by substituting the attached floor substitute (Request # 1851) for the title, enacting clause, and entire body of the measure.

Submitted by:


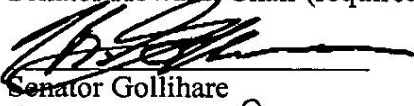


Senator Hamilton

I hereby grant permission for the floor substitute to be adopted.



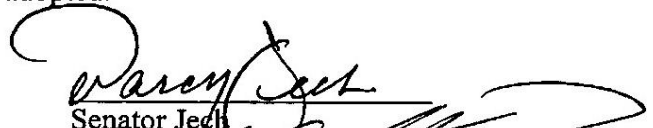
Senator Howard, Chair (required)



Senator Boren



Senator Brooks

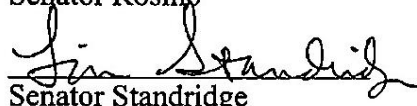


Senator Jech



Senator Jett

Senator Rosino



Senator Standridge

\_\_\_\_\_  
Senator Paxton, President Pro Tempore

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Senator Daniels, Majority Floor Leader

Note: Judiciary Committee majority requires five (5) members' signatures.

Hamilton-TEK-FS-SB925

3/24/2025 5:20 PM

(Floor Amendments Only)

Date and Time Filed: 3/25/25 4:45pm JD

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 FLOOR SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 925

By: Hamilton and Bullard of the  
Senate

6 and

7 Osburn of the House

8  
9  
10 FLOOR SUBSTITUTE

11 An Act relating to title theft; authorizing filing of  
12 certain notice; establishing requirements for filing  
13 of certain notice; specifying required contents of  
14 certain notice; authorizing charging of fees for  
15 recording certain notice; requiring county clerk to  
16 provide copy of certain notice to district attorney;  
17 authorizing refusal to file notice under certain  
18 circumstances; authorizing certain petition;  
19 establishing felony offenses for title theft;  
20 establishing elements of certain offenses;  
21 establishing punishments for certain offenses;  
22 requiring order of restitution for certain offenses;  
23 requiring county clerk to post certain signage;  
24 providing for codification; and providing an  
effective date.

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

1           SECTION 1.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 311 of Title 16, unless there is  
3 created a duplication in numbering, reads as follows:

4           A. A person who is the victim of title theft as defined in  
5 Section 2 of this act may file of record a notice of fraudulent  
6 conveyance, duly verified by oath, setting forth the nature of the  
7 fraudulent conveyance. Such notice may be filed of record by the  
8 victim or by any other person acting on behalf of the victim who is  
9 under a disability or otherwise unable to assert the claim on his or  
10 her own behalf. Such notice shall serve as constructive notice that  
11 the conveyance is alleged to be fraudulent.

12           B. To be effective and entitled to be recorded, notice of a  
13 fraudulent conveyance shall contain an accurate and full description  
14 of the real property affected by the recorded fraudulent conveyance.  
15 Such notice of fraudulent conveyance shall be filed for record in  
16 the county clerk's office of the county or counties where the real  
17 property is situated. Except as provided in subsection D of this  
18 section, the county clerk shall accept any notice presented that  
19 describes real property located in the county and shall enter,  
20 record, and index such notice in the same manner that a deed is  
21 recorded. A county clerk may charge fees for the recording of the  
22 notice in accordance with the county clerk fee schedule set forth in  
23 Section 32 of Title 28 of the Oklahoma Statutes. The name or names

24

1 of any victim appearing in such notice shall be entered as a grantee  
2 or grantees in such indexes.

3 C. Upon the filing of a notice of fraudulent conveyance, the  
4 county clerk shall deliver a copy of the notice to the district  
5 attorney for investigation and potential prosecution.

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

17 SECTION 2. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 1534 of Title 21, unless there  
19 is created a duplication in numbering, reads as follows:

20 A. A person commits title theft when he or she:

21 1. Intentionally alters, falsifies, forges, or misrepresents a  
22 document pertaining to real property, with the intent to deceive,  
23 defraud, or unlawfully transfer or encumber the ownership rights of  
24 the owner of the real property;

1           2. With intent to defraud, misrepresents himself or herself as  
2 the owner or authorized representative of the owner of real property  
3 to induce another person to rely on such false information to obtain  
4 ownership or possession of such real property; or

5           3. With intent to defraud, takes, obtains, steals, encumbers,  
6 or transfers title or an interest in real property by fraud,  
7 forgery, larceny, or any other fraudulent or deceptive practice.

8           B. A person who procures, files, or causes to be filed of  
9 public record any document pertaining to an interest in real  
10 property with intent to deceive another person as to the veracity of  
11 the document recorded shall be, upon conviction, guilty of a felony  
12 punishable by imprisonment in the custody of the Department of  
13 Corrections for a term not to exceed three (3) years, a fine not to  
14 exceed Five Thousand Dollars (\$5,000.00), or by both such  
15 imprisonment and fine. Additionally, the court shall order  
16 restitution to be paid to the aggrieved party as authorized by  
17 Section 991f of Title 22 of the Oklahoma Statutes.

18           C. A person who knowingly and willfully procures, files, or  
19 causes to be filed of public record a document pertaining to real  
20 property in this state with intent to defraud the owner of the real  
21 property or the owner of an interest in the real property shall be,  
22 upon conviction, guilty of a felony punishable by imprisonment in  
23 the custody of the Department of Corrections for a term not to  
24 exceed ten (10) years, a fine not to exceed Five Thousand Dollars

1 (\$5,000.00), or by both such imprisonment and fine. Additionally,  
2 the court shall order restitution to be paid to the aggrieved party  
3 as authorized by Section 991f of Title 22 of the Oklahoma Statutes.

4 D. A county clerk shall post a sign, in letters at least one  
5 (1) inch in height, that is clearly visible to the general public in  
6 or near the county clerk's office stating that it is a crime to  
7 knowingly file a fraudulent document pertaining to real property  
8 with the county clerk.

9 SECTION 3. This act shall become effective November 1, 2025.

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11 60-1-1851 TEK 3/25/2025 4:52:22 PM

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