

# SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. 1

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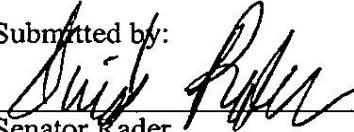
COMMITTEE AMENDMENT

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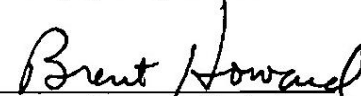
(Date)

I move to amend Senate Bill No. 274 by substituting the attached floor substitute (Request # 1854) for the title, enacting clause, and entire body of the measure.

Submitted by:


  
\_\_\_\_\_  
Senator Rader

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

  
\_\_\_\_\_  
Senator Howard, Chair (required)

  
\_\_\_\_\_  
Senator Jech

  
\_\_\_\_\_  
Senator Gollihare

  
\_\_\_\_\_  
Senator Jett

  
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Senator Boren

  
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Senator Rosino

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Senator Brooks

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Senator Standridge

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Senator Paxton, President Pro Tempore

\_\_\_\_\_  
Senator Daniels, Majority Floor Leader

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

Rader-TEK-FS-SB274  
3/13/2025 8:45 AM

(Floor Amendments Only)

Date and Time Filed: 3-13-25 11:41am MST

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. 274

By: Rader of the Senate

and

West (Tammy) of the House

6  
7  
8  
9 FLOOR SUBSTITUTE

10 An Act relating to landlord and tenant; amending 41  
11 O.S. 2021, Section 201, which relates to lease  
12 conditions for tenant felony conviction; requiring  
13 criminal history screening policy for award of  
14 certain tax credit; requiring certain components for  
15 screening policy; prohibiting inclusion of certain  
16 statements; requiring consideration of certain  
17 factors in individualized review; providing certain  
18 exceptions; requiring review of certain plans by  
19 Oklahoma Housing Finance Agency; updating statutory  
20 language; and providing an effective date.

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

22 SECTION 1. AMENDATORY 41 O.S. 2021, Section 201, is  
23 amended to read as follows:

24 Section 201. A. The owner of any real property, ~~including any~~  
~~improvements~~ consisting of dwelling units, acquired or improved in  
connection with an allocation of income tax credits pursuant to the  
provisions of Section 42 of the Internal Revenue Code of 1986, as

1 amended, or in connection with an allocation of income tax credits  
2 pursuant to the provisions of Section 2357.403 of Title 68 of the  
3 Oklahoma Statutes shall have the right to impose conditions in any  
4 lease agreement for the occupancy of any dwelling located on real  
5 property as described by this section which allow the owner to  
6 accept or decline to enter into the lease agreement, or to terminate  
7 a previously executed lease agreement based upon the discovery of  
8 incomplete or false information, with respect to the prior felony  
9 conviction of any person identified as a tenant pursuant to the  
10 terms of the lease agreement, including occupants of the dwelling  
11 whether or not those occupants formally execute a lease agreement.

12 B. The owner of real property as described in subsection A of  
13 this section may either accept or decline to enter into a lease  
14 agreement or to terminate a previously executed lease agreement  
15 based upon felony convictions, whether pursuant to federal law or  
16 the laws of any state or other governmental jurisdiction, for the  
17 following types of offenses:

- 18 1. Possession of any drug or chemical;
- 19 2. Possession of any drug or chemical with intent to  
20 manufacture or distribute;
- 21 3. Sex offenses, including,    but not limited to,    any form of  
22 sexual assault, rape, indecent exposure, or other sexually related  
23 offense if such offense was a felony;
- 24 4. Assault or battery or both if the offense was a felony;

1 5. Any felony involving violence against another person; and

2 6. Such other felony offenses as the owner of the real property  
3 as described in subsection A of this section includes in the terms  
4 of the lease agreement.

5 C. The provisions of this section shall supersede the  
6 administrative rule of any state agency, board, commission,  
7 department, statewide beneficiary public trust or other entity of  
8 state government to the extent of any conflict.

9 D. The provisions of subsections A and B of this section shall  
10 be applicable with respect to lease transactions occurring on or  
11 after ~~the effective date of this act~~ April 29, 2019, without regard  
12 to the construction date of the improvements to real property as  
13 described by subsection A of this section.

14 E. For awards beginning on or after January 1, 2026, an award  
15 recipient for the income tax credits pursuant to the provisions of  
16 Section 42 of the Internal Revenue Code of 1986, as amended, or in  
17 connection with income tax credits allocated pursuant to Section  
18 2357.403 of Title 68 of the Oklahoma Statutes shall have a clearly  
19 defined criminal history screening policy in a tenant selection plan  
20 that establishes criteria for renting to prospective residents and  
21 shall include, but not be limited to, the following:

22 1. Except as provided in subsection G of this section, an  
23 individualized review that considers the safety of residents and  
24

1 property; provided, an applicant with a criminal conviction may be  
2 denied housing only after conducting such review;

3 2. The amount of time following a conviction during which  
4 criminal records will be considered in determining the approval of a  
5 lease application; and

6 3. An established procedure for conducting individualized  
7 reviews of applicants with a criminal record which shall include,  
8 but not be limited to, a notification to the applicant that an  
9 individualized review will be conducted and the right of the  
10 applicant to provide supporting documentation and mitigating  
11 evidence for the individualized review.

12 The screening policy shall not include any statements such as  
13 "Any applicants with criminal convictions will be denied".

14 F. An individualized review conducted pursuant to subsection E  
15 of this section shall include consideration of the following  
16 factors:

17 1. The seriousness of the offense, especially with respect to  
18 the effect of the offense on other residents;

19 2. The age of the individual at the time the offense was  
20 committed;

21 3. The length of time since the offense occurred;

22 4. Evidence of rehabilitation such as employment, job training,  
23 educational achievement, treatment program completion, or letters of  
24 recommendation; and

1        5. Whether the offense has any connection to how the tenant or  
2 household member would perform as a tenant, resident, or neighbor.

3        G. Notwithstanding the requirements of subsection E of this  
4 section, no individualized review shall be required if any other  
5 provision of law requires denial of an applicant. An award  
6 recipient may, but shall not be required to, conduct an  
7 individualized review for an applicant convicted of an offense  
8 listed in Section 13.1 of Title 21 of the Oklahoma Statutes.

9        H. The Oklahoma Housing Finance Agency shall review the tenant  
10 selection plan to ensure compliance with subsections E, F, and G of  
11 this section during compliance monitoring review. The Agency shall  
12 provide guidance to owners of real property who receive an award of  
13 affordable housing tax credit as it pertains to creation of policies  
14 and practices to comply with this section.

15        SECTION 2. This act shall become effective November 1, 2025.

16  
17        60-1-1854            TEK            3/13/2025 1:01:12 PM

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