

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1866

By: Roberts

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5
6 AS INTRODUCED

7 An Act relating to property; amending 60 O.S. 2021,
8 Section 833, which relates to property disclosures;
9 requiring the disclosure of the existence of
10 polybutylene pipes; and providing an effective date.

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

12 SECTION 1. AMENDATORY 60 O.S. 2021, Section 833, is
13 amended to read as follows:

14 Section 833. A. A seller of property located in this state
15 shall deliver, or cause to be delivered, to the purchaser of such
16 property one of the following:

17 1. A written property disclaimer statement on a form
18 established by rule by the Oklahoma Real Estate Commission which
19 states that the seller:

- 20 a. has never occupied the property and makes no
21 disclosures concerning the condition of the property,
22 and
23 b. has no actual knowledge of any defect; or
24

1 2. A written property condition disclosure statement on a form
2 established by rule by the Oklahoma Real Estate Commission which
3 shall include the information set forth in subsection B of this
4 section.

5 B. 1. The disclosure statement shall include an identification
6 of items and improvements which are included in the sale of the
7 property and whether such items or improvements are in normal
8 working order. The disclosures required shall also include a
9 statement of whether the seller has actual knowledge of defects or
10 information in relation to the following:

- 11 a. water and sewer systems, including the source of
12 household water, water treatment systems, sprinkler
13 systems, occurrence of water in the heating and air
14 conditioning ducts, water seepage or leakage, drainage
15 or grading problems and flood zone status,
- 16 b. structural systems, including the roof, walls, floors,
17 foundation and any basement,
- 18 c. plumbing, electrical, heating and air conditioning
19 systems,
- 20 d. infestation or damage of wood-destroying organisms,
- 21 e. major fire or tornado damage,
- 22 f. land use matters,
- 23 g. existence of hazardous or regulated materials and
24 other conditions having an environmental impact,

- 1 h. existence of prior manufacturing of methamphetamine,
2 i. existence of polybutylene pipes,
3 j. any other defects known to the seller, and
4 ~~j.~~ k. other matters the Oklahoma Real Estate Commission
5 deems appropriate.

6 2. The disclosure statement shall include the following notices
7 to the purchaser in bold and conspicuous type:

- 8 a. "The information and statements contained in this
9 disclosure statement are declarations and
10 representations of the seller and are not the
11 representations of the real estate licensee.",
12 b. "The information contained in this disclosure
13 statement is not intended to be a part of any contract
14 between the purchaser and the seller.", and
15 c. "The declarations and information contained in this
16 disclosure statement are not warranties, express or
17 implied of any kind, and are not a substitute for any
18 inspections or warranties the purchaser may wish to
19 obtain."

20 C. Either the disclaimer statement or the disclosure statement
21 required by this section must be completed, signed and dated by the
22 seller. The date of completion on either statement may not be more
23 than one hundred eighty (180) days prior to the date of receipt of
24 the statement by the purchaser.

1 D. The Oklahoma Real Estate Commission shall develop by rule
2 the forms for the residential property condition disclaimer and the
3 residential property condition disclosure statement. After
4 development of the initial forms, the Oklahoma Real Estate
5 Commission may amend by rule the forms as is necessary and
6 appropriate.

7 Such forms shall be made available upon request irrespective of
8 whether the person requesting a disclaimer or disclosure form is
9 represented by a real estate licensee.

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

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