

**2018 Final Legislative Report
Oklahoma Title Examination Standards Committee
2nd Session of the 56th Legislature
May 19, 2018**

Please do not hesitate to contact me if you know of a bill that should be included, think a bill should be included under a different section, would like to suggest a different interpretation of a bill, or have a proposed edit to the referenced title standard(s).

Legislative Deadlines*

Deadline for bill draft requests	December 8, 2017
Bill introduction deadline	January 18, 2018
Legislative session begins	February 5, 2018
Senate bills out of Senate committees	March 1, 2018
House bills out of House committees	March 3, 2018
Third reading of measures in chamber of origin	March 15, 2018**
House bills out of Senate committees	April 12, 2018
Senate bills out of House committees	April 14, 2018
Third reading of measures in opposite chamber	April 26, 2018
Sine Die	May 25, 2018

*some exceptions apply

**Note: This date was changed from March 23, 2018.

Introductory Notes

Bills that may potentially affect current title standards are shown first. Those are followed by other bills broadly related to real property. The summaries do not necessarily reflect all changes, deletions or additions presented by the bills. Bills not noted as "carry over from 2017" were introduced as new bills in 2018.

Updates will be provided at regular TES Committee monthly meetings. Outside of these meetings, you can check for updates at www.oklegislature.gov either by entering the bill number and checking the history or by using the "Track Bills" feature which will email you updates.

All summaries and interpretations are those of this author. If you are specifically interested in any bill, please read the bill in its entirety to confirm its scope and effect.

Proposed Legislation Potentially Affecting Current Title Standards

Corporations – Standard 12.4

~~HB 1809 — Carry over from 2017. Oklahoma Benefit Corporation Act creates a new class of corporations called Benefit Corporations formed or converted for the purpose of creating a general public benefit.~~

Status: Referred to Banking and Business. Does not appear to have made it out of committee.

~~SB 343 — Carry over from 2017. Oklahoma Benefit Corporation Act creates a new class of corporations called Benefit Corporations formed or converted for the purpose of creating a general public benefit.~~

Status: No 2018 activity. Does not appear to have made it out of committee.

Marriage – Standard 7.2

~~HB 2871 — Allows for judicial order to determine property conveyed without the joinder of the spouse was not homestead property.~~

Status: Second reading referred to Judiciary. Does not appear to have made it out of committee.

Marriage – Standard 3.2, Comment 2

~~HB 1418 — Carry over from 2017. Allows for an Affidavit of Common Law Marriage to be filed with the court clerk. Sets forth requirements for the affidavit. Provides that any entity requiring proof of marriage be required to also accept the affidavit of common law marriage.~~

Status: Referred to Judiciary. Does not appear to have made it out of committee.

~~HB 1257 — Carry over from 2017. Sets forth proof of common law marriage; Prohibits common law marriage (between man and woman??) beginning 1/1/18; certain common law marriages remain valid after 1/1/18; allows for affidavit of common law marriage.~~

Status: Referred to Judiciary. Does not appear to have made it out of committee.

Other Proposed Legislation of Interest

Abstracting

~~HB 3253 — Abstracts limited to "only including those official records which by statute impart constructive notice," providing access to abstract plants in certain instances.~~

Status: Second reading referred to Judiciary. Does not appear to have made it out of committee.

~~SB 161 — Carry over from 2017. Extends sunset date for Oklahoma Abstractors Board from 7/1/19 to 7/1/21.~~

Status: No 2018 activity. Does not appear to have made it out of committee.

Acknowledgments

~~HB 1366~~ Carry over from 2017. Changes requirement for a deed, mortgage or other instrument affecting real estate to be "acknowledged" to be "acknowledged or verified under oath or affirmation." Changes language regarding acknowledgements relating to military business of the state. Increases required notary bond from \$1000 to \$10,000. Other changes including fees, contracts to provide notarial services, and software issues. Adds administer oaths "of affirmations; to take a verification upon oath or affirmation to witness or attest a signature; to certify or attest a copy" to notary public authority. Numerous changes to definitions in the Uniform Law on Notarial Acts, including definitions related to video and electronic signatures. Multiple deletions of "stamp" from "official stamp or seal." Official certificate and seal of notary public is "presumptive evidence of the facts stated in cases where, by law, the notary public is authorized to certify the facts." Grandfathers in electronic notarial acts performed before 1/1/18 under the Uniform Electronic Transactions Act. Creates a new section of law called the Uniform Law on Notarial Acts, which supersedes the Electronic Signatures in Global and Nation Commerce Act with exceptions, and sets forth the procedure, scope, and requirements of video notarial acts.

Status: No 2018 activity. Does not appear to have made it out of committee.

Appraisals

~~HB 1358~~ Carry over from 2017. Appointments of disinterested person to appraise when general or special execution is levied upon lands shall be made on a rotating basis from a list of persons maintained by the sheriff and can't be related with the third degree to the sheriff, any person having an interest in the lands, or to another disinterested person valuing the same lands. In counties with a population of 65,000 or more, the disinterested person must be a certified real estate appraiser, a licensed real estate broker, or real estate agent licensed for more than two years.

Status: Referred to Judiciary. Does not appear to have made it out of committee.

~~SB 533~~ Carry over from 2017. Requires invoice disclosing compensation to appraiser when services are performed independently or not within an employer/employee relationship. Appraisal Management Company cannot prohibit an employee from including an invoice which describes the fee.

Status: No 2018 activity. Does not appear to have made it out of committee.

~~SB 571~~ Carry over from 2017. Real Estate Appraiser Board to define type of educational and equivalent experience to meet the Appraiser Qualification Board and Appraisal Foundation approval for a new category, Special Appraisers, supervised by the Board of other designated persons. Special Appraisers will have no examination requirement but must complete 75 classroom hours of specified courses.

Status: No 2018 activity. Does not appear to have made it out of committee.

Civil Procedure

~~SB 968~~ Amends 12 O.S. §2008. Pleadings must be "made with particularity of all material facts known to pleading party", defines "material facts", deletes "simple, concise and direct" from pleading requirements.

Status: Passed out of committee. Passed Senate. Engrossed to House. Senate committee passed, title and enacting clause stricken. No Senate vote, not engrossed back to House, appears to be dead.

SB 1503 Increases response time to amended pleadings from ten days after service to twenty days after service.

Status: Passed out of committee. Passed Senate. Engrossed to House. House passed. Signed by Governor 4/12/2018.

~~SB 1550~~ New law. "A party may petition or file a motion with a court of competent jurisdiction to request a post adjudication evidentiary hearing to present evidence of material facts not previously presented and heard by the court. Such evidence may include forensic scientific evidence that was not available to be offered by the party at trial or that disputes forensic scientific evidence relied on by the state at trial. At the conclusion of the hearing, the court may alter, modify or vacate a previous judgment."

Status: Passed out of committee. No Senate vote, not engrossed to House, appears to be dead.

~~HB 3482~~ Amends 12 O.S. §696.4 to provide that if the State is the prevailing party the state shall be awarded attorney fees and costs.

Status: Second reading referred to Rules. Does not appear to have made it out of committee.

~~SB 365~~ Carry over from 2017. Amends 12 O.S. §2001 from "Code shall be construed" to Code shall be "construed, administered and employed by the court and the parties." Amends 12 O.S. §2008 to expand the particularities required in pleadings that set forth claims for relief. Changes requirement for pleading to be concise and direct. Amends 12 O.S. §2009 to incorporate changes to 2008 and to stay discovery and other proceedings when a 12B6 motion to dismiss, motion for judgment on pleadings, or motion for more definite statement has been filed.

Status: No 2018 activity. Does not appear to have made it out of committee.

Condemnation / Eminent Domain

~~SB 1561~~ New law to be part of Title 60, Article 14 Public Utilities. Addresses use of right of ways by non-owners of the rights of way. Addresses temporary uses, including temporary pipe, water hoses, or lines.

Status: Passed out of committee. Passed Senate. Engrossed to House. House committee passed. Enacting clause stricken. No House vote, not engrossed back to Senate, appears to be dead.

- ~~HB 3588~~ — ~~Changes to 69 O.S. 1205, Transportation Commission acquisition of rights of way. Adds provisions for maintenance of highways (currently covers construction) and shifts some costs.~~
- Status: Passed out of committee. No House vote, not engrossed to Senate, appears to be dead.
- ~~HB 1271~~ — ~~Carry over from 2017. Repeals 11 O.S. §21-222 Moratorium on Municipal Condemnation Proceedings.~~
- Status: No 2018 activity. Does not appear to have made it out of committee.
- ~~HB 1902~~ — ~~Carry over from 2017. New law. If a municipality, county or other political subdivision other than the Corporation Commission adopts or implements any regulations, etc., concerning oil and gas that substantially interferes with the use and enjoyment or development of minerals, it shall be considered a taking under the Oklahoma Constitution and relevant statutes.~~
- Status: No 2018 activity. Does not appear to have made it out of committee.
- ~~HB 2194~~ — ~~Carry over from 2017. Amends 27 O.S. §11 to allow for attorney fees where the jury award is for any amount over the commissioner's award (previously 10%). Amends 27 O.S. §13 (amendments not specified in the introduced bill). Amends 27 O.S. §16 to allow for comparable sales and actual amount paid or awarded for other tracts of the same intended use to be included in the fair market value calculation. Amends 27 O.S. §18 to include in the Landowner's Bill of Rights Title 69 proceedings and the right to demand a jury trial. Amends commissioner's duties listed in 66 O.S. §53. Amends 66 O.S. §55 related to jury trial, costs, "legitimate business purpose planned", and annual reports to Attorney General. Amends 69 O.S. §1203 regarding notice to landowner, jury trials, burden of proof, costs, payment of award, fair market value, annual reports to Attorney General, and good faith negotiations.~~
- Status: No 2018 activity. Does not appear to have made it out of committee.
- ~~SB 290~~ — ~~Laid over from 2017. Amends 66 O.S. §55 changing taxing of costs on jury trial and allowing for last offer to settle. Amends 27 O.S. §11 changing language regarding award of 10% more than commissioner's award to exceeds by any amount the last offer to settle.~~
- Status: No 2018 activity. Does not appear to have made it out of committee.
- ~~SB 318~~ — ~~Carry over from 2017. Authorization for ODOT to complete the acquisition and rehabilitation of the 90 mile "Sunbelt Line" between Shawnee and McAlester.~~
- Status: No 2018 activity. Does not appear to have made it out of committee.
- ~~SB 422~~ — ~~Carry over from 2017. Enacts a new law creating the Oklahoma Public and Private Facilities and Infrastructure Act (see HB 1534 above).~~
- Status: No 2018 activity. Does not appear to have made it out of committee.
- ~~SB 548~~ — ~~Carry over from 2017. Enacts a new law creating Prosperity Districts which will be municipal corporations in the form of a special district that can form enforceable contracts, sue and be sued and exercise exclusively the jurisdiction, power and authority specified in the act. Limitations on Prosperity Districts include no ability to levy tax, exercise eminent domain, etc.~~

Status: No 2018 activity. Does not appear to have made it out of committee.

Counties

~~SB 1043 — Changes fees a County Clerk can charge for electronic copies. Fees based on population of County. Amended: now only changes the word “pages” to “images”. Took out the changes to fees.~~

Status: Second reading referred to General Government. Amended. Passed out of committee. Engrossed to House. House committee passed as amended. Title stricken. "Died in conference" 5/9/2018.

~~SB 1264 — Allows for suits against a county to be brought in individual officer's name when certain allegations are present.~~

Status: Passed out of committee. Passed Senate. Engrossed to House. Appears to have died in House committee.

~~SB 1272 — Enacts a new law to allow board of county commissioners to transfer ownership of real property designated as a common area or greenbelt for neighborhood development to the municipality that created the common area or greenbelt.~~

Status: Second reading referred to General Government. Passed committee. Title stricken. Title restored, failed in Senate.

~~SB 417 — Carry over from 2017. Enacts a new law to allow board of county commissioners to transfer ownership of real property designated as a common area or greenbelt for neighborhood development to the municipality that created the common area or greenbelt.~~

Status: No 2018 activity. Does not appear to have made it out of committee.

~~SB 538 — Carry over from 2017. Repeals 19 O.S. §570 Abolition of Office of County Surveyor.~~

Status: No 2018 activity. Does not appear to have made it out of committee.

Deeds

~~HB 3534 — In a civil action where a transfer instrument is challenged, there is a rebuttable presumption that the transfer is void where the transferee is a caregiver and the FMV of the property exceeds \$20,000.00. Sets forth how presumption can be rebutted. Attorney's fees and costs to challenger if caregiver attempts and fails to overcome the presumption. Specifically states it is only rebuttable in a civil action and no independent duty of a financial institution, trust company, trustee or *similar* entity or person related to any transfer instrument.~~

Status: Second reading referred to Judiciary. Passed committee, passed House, engrossed to Senate. Appears to have died in Senate committee.

Foreclosure

~~HB 2662~~ — ~~"Prior to the sale of a foreclosed property, the mortgagee or selling entity shall have the property surveyed to ensure an accurate property description."~~

Status: Second reading referred to Judiciary. Does not appear to have made it out of committee.

HOA's and other Owner Associations

~~SB 1193~~ — ~~Cannot prohibit certain political signs but can regulate how they are displayed.~~

Status: Second reading referred to Business, Commerce and Tourism. Does not appear to have made it out of committee.

Indian Lands

HR 2606 Federal Legislation - Stigler Act Amendments of 2017. Lands will remain in restricted status regardless of blood quantum. Will not apply where lands were i) subject to final order by OK district court or US district court determining the decedent's heir or devisees or otherwise determining ownership; ii) conveyed by a decedent's undetermined heirs or devisees by deed approved by OK district court; or iii) conveyed by decedent's undetermined heirs or devisees of less than 1/2 Indian blood with or without district court approval.

Status: Subcommittee hearings held 10/4/2017.

Liens

SB 1118 — **Statements attached to medical liens no longer have to be itemized.**

Status: Passed out of committee. Passed Senate, engrossed to House. Passed out of House committee. Passed House, engrossed back to Senate. Signed by Governor 5/3/2018.

~~SB 1107~~ — ~~Municipalities can place liens on property for trash and weed removal. Amended. Original amendments allowing lien have been removed. Now affirmatively states that County Treasurer cannot attempt collection after 7 years from certification date and cannot sell property at re-sale of non-payment of these fees.~~

Status: Second reading referred to General Government. Passed committee. Passed Senate. Engrossed to House. Appears to have died in House committee.

~~SB 978~~ — ~~Statements attached to medical liens no longer have to be itemized.~~

Status: Second reading referred to Judiciary. Does not appear to have made it out of committee.

~~HB 2766~~ — ~~Liens. Adds "legal entity" to references to persons, requires estimate of value of property by three disinterested persons and providing Administrator of Courts can approve forms, changes "appraised value" to "appraised current market value", and provides for electronic bids.~~

Status: Second reading referred to Judiciary. Does not appear to have made it out of committee.

~~HB 1281 — Carry over from 2017. Creates Oklahoma Construction Registry Act. Does not apply to residential (single family or multifamily of four or fewer units). Project registration is voluntary. Registration will afford different lien rights than current lien rights.~~

Status: No 2018 activity. Does not appear to have made it out of committee.

~~HB 1673 — Carry over from 2017. Extends filing time for subcontractor liens from 90 days to 6 months.~~

Status: Referred to Judiciary. Does not appear to have made it out of committee.

~~SB 581 — Carry over from 2017. Decreases time a county clerk can discharge M&M liens from 10 years to 3 years.~~

Status: No 2018 activity. Does not appear to have made it out of committee.

~~HB 1701 — Carry over from 2017. Removes the 1 year waiting period related to homestead liens filed by OHCA and allows the liens to be assignable. Removes language that lien "shall not sever a joint tenancy nor affect the right of survivorship." Allows for a reduced amount to pay off the lien if necessitated by the value of the property at the time of a sale or transfer.~~

Status: No 2018 activity. Does not appear to have made it out of committee.

Mining

~~SB 1033 — Department of Mines would be consolidate with the DEQ and become the Mining Safety Division of the Department of Environmental Quality.~~

Status: Referred to Appropriations Subcommittee Natural Resources and Regulatory Services. Does not appear to have made it out of committee.

Minors

~~SB 122 — Carry over from 2017. Oklahoma Uniform Transfers to Minors Act. Parents as successor custodian: either parent if they are still married; if divorced, primary custody parent or if joint custody, parent determined by written agreement between the parents.~~

Status: No 2018 activity. Does not appear to have made it out of committee.

Mortgages

~~HB 2833 — Increases time mortgagor has to cure default from thirty five days to six months and satisfactorily refinance the property, provides interest will not accrue during six months.~~

Status: Second reading referred to Judiciary. Does not appear to have made it out of committee.

Municipalities

~~HB 1262~~ — Carry over from 2017. Repeals 11 O.S. 22-110.1 Municipalities Prohibited from Requiring Registration of Real Property.

Status: No 2018 activity. Does not appear to have made it out of committee.

~~SB 420~~ — Carry over from 2017. Amends 11 O.S. §22-111 regarding municipality cleaning trash and weeds and cutting grass to include "entity responsible for easements or rights of way on a property" to the definition of Owner.

Status: No 2018 activity. Does not appear to have made it out of committee.

Oil and Gas

~~HB 2775~~ — Changes certain aspects of PRSA including erroneously withheld payments, interest, interpleading of royalties and remittance of royalties to unclaimed property fund.

Status: Second reading referred to Rules. Passed committee. Passed House, engrossed to Senate. Senate passed. Signed by Governor 4/9/2018.

~~SB 1143~~ — Changes certain aspects of PRSA including erroneously withheld payments, interest, interpleading of royalties and remittance of royalties to unclaimed property fund.

Status: Second reading referred to Energy. Passed committee. Passed Senate. Engrossed to House. Appears to have died in House committee.

~~SB 285~~ — Carry over from 2017. Amends the Oklahoma Brine Development Act to the Oklahoma Brine and Produced Water Development Act to reduce disposal of brine water and encourage reuse, recycling and reclaiming of the water and its constituents.

Status: No 2018 activity. In 2017 engrossed to House, engrossed back to Senate with amendments.

~~SB 284~~ — Carry over from 2017. Amends the 2011 Shale Revenue Development Act to the Horizontal Well Development Act to expand to include any common source of supply that is designated by the OCC as potentially suited for development through a multiunit horizontal well or extended lateral horizontal unit or part of an order approving the multiunit horizontal well or extended lateral horizontal unit.

Status: No 2018 activity. In 2017 engrossed to House, engrossed back to Senate with amendments, conference requested then request rescinded.

~~SB 731~~ — Carry over from 2017. Amends Production Revenue Standards Act. Includes royalty proceeds erroneously withheld to provisions regarding royalty proceeds incorrectly paid regarding liability of party whose error or omission caused the error. Removes "compounded annually" from interest rate. Allows the holder of proceeds to interplead such proceeds where marketability has remained uncured for 120 days. Allows operator to remit to the Unclaimed Property Fund proceeds where title has remained unmarketable for 2 years after written notice by operator. Adds provision that interest shall not apply when mineral owner or assignee elects to take in kind or where mineral owner or assignee cannot be located after reasonable inquiry.

Status: In 2018, Marlatt removed as author, Allen added as author. In 2017 Engrossed back to Senate with amendments.

- ~~SB 680~~ — ~~Carry over from 2017. Amends the 2011 Shale Reservoir Development Act to the Extended Lateral Horizontal Well Development Act to expand to include any common source of supply designated by the OCC as suited for development through a multiunit horizontal well or part of an order approving a multiunit horizontal well.~~
- Status: No 2018 activity. In 2017 passed committee. No Senate vote, not engrossed to House, appears to be dead.
- ~~SB 1257~~ — ~~Allows municipalities to restrict certain operations but only if the cost of compliance doesn't increase cost of operations by a certain amount and not if the affected property owner agrees to allow the operations.~~
- Status: Second reading referred to General Government. Passed committee. No Senate vote, not engrossed to House, appears to be dead.
- ~~SB 974~~ — ~~Changes certain aspects of PRSA including erroneously withheld payments, interest, interpleading of royalties and remittance of royalties to unclaimed property fund.~~
- Status: Second reading referred to Energy. Failed in committee.
- ~~HB 1356~~ — ~~Carry over from 2017. Amends 52 O.S. §87.1 to require notice of application be sent by regular mail to every owner of an occupied structure within 1,500' of proposed drilling site. Amends 52 O.S. §320.1 to require wellbore of active well to be at least 500 feet from any occupied structure unless waived by surface owner.~~
- Status: No 2018 activity. Does not appear to have made it out of committee.
- ~~HB 1639~~ — ~~Carry over from 2017. Enacts new law allowing municipality, county or other political subdivision to prevent oil and gas drilling therein and provide its own rules and regulations regarding well spacing units, drilling and production.~~
- Status: No 2018 activity. Does not appear to have made it out of committee.
- ~~SB 193~~ — ~~Carry over from 2017. Enacts new law allowing cities and towns to prevent oil or gas drilling and provide its own rules and regulations regarding well spacing units, drilling, and production.~~
- Status: No 2018 activity. Does not appear to have made it out of committee.
- ~~HB 1902~~ — ~~Carry over from 2017. Enacts a new law defining as a taking any ordinance, rule, etc., by a municipality, county, or other political subdivision (other than the OCC) that substantially interferes with the use and enjoyment of the mineral estate; imposes or enforces a limitation that adversely impacts the use and development of minerals; or prohibits access to develop the mineral estate resulting in substantially increased costs of oil and gas operations or substantial reduction in fair market value of the mineral estate.~~
- Status: No 2018 activity. In 2017 passed committee. No House vote, not engrossed to Senate, appears to be dead.
- ~~SB 768~~ — ~~Carry over from 2017. Amends 2011 Shale Reservoir Development Act to require the plan of development of any shale reservoir include the condition under which the proposed unit will terminate.~~
- Status: In 2018, Marlatt removed as author, Allen added as author. In 2017 did not make it out of committee. Does not appear to have made it out of committee.

~~SB 794~~ — ~~Carry over from 2017. Amends jurisdiction of OCC; substances allowed to be injected into Class II well must be "from Oklahoma."~~

Status: No 2018 activity. Does not appear to have made it out of committee.

Real Property

~~SB 139~~ — ~~Carry over from 2017. Exempts from the requirement to have a real estate license persons or business entities that "do not actually buy, sell or act with intent to acquire or transfer, or to assist another in acquiring or transferring, title ownership to real estate."~~

Status: ~~No 2018 activity.~~ Passed Senate, engrossed to House. No House vote, not engrossed back to Senate, appears to be dead.

~~SB 1377~~ — ~~Closing of Section line roads. Adds provisions that if the adjacent property and property access are all owned by one owner, only that owner's signature is required on the petition, the Board shall assume the petition has merit, and shall grant the petition. Also changes provisions that a board decision is final to a board decision is final "for that petition" and a new petition can be filed at any time.~~

Status: Passed out of committee. Title stricken. Passed committee, passed Senate, engrossed to House. Appears to have died in House committee.

HB 1334 — Carry over from 2017. Allows Board of Education of any school district to transfer title to unimproved real property to a municipal or other local housing authority in order for such housing authority to construct single family dwellings or multifamily dwellings on such property formed pursuant to the provisions of 63 OS §1057 (Creation of Indian Housing Authorities).

Status: No 2018 activity. Engrossed to Senate in 2017. Passed committee 4/9/2018. Measure failed. Motion to reconsider passed. Passed Senate, engrossed back to House. Approved by Governor 5/1/2018.

~~SB 75~~ — ~~Carry over from 2017. Amends the scenic river designation for the Illinois River from above "its confluence with the Barron Fork Creek" to above "the Horseshoe Bend Public Use Area Boat Ramp of Tenkiller Ferry Lake."~~

Status: No 2018 activity. Engrossed to House in 2017.

~~HB 2594~~ — ~~Modifies definition of "blighted areas" by removing "age or obsolescence," "or open spaces," "faulty lot layout in relation to size, adequacy, accessibility or usefulness" from definition.~~

Status: Second reading referred to Rules. Does not appear to have made it out of committee.

~~HB 1927~~ — ~~Carry over from 2017. Creates the Uniform Commercial Real Estate Receivership Act regarding the appointment and power of receivers for some commercial real estate.~~

Status: No 2018 activity. Does not appear to have made it out of committee.

~~SB 362~~ — ~~Carry over from 2017. Creates Uniform Commercial Real Estate Receivership Act regarding the appointment and power of receivers for some commercial real estate.~~

Status: No 2018 activity. Does not appear to have made it out of committee.

~~HB 1412 — Carry over from 2017. Creates the Real Estate Owner's Rights Act allowing "an owner of residential real property or farm property who resides in this state and whose real property is located in this state" to personally perform certain improvements, construction, repairs, etc.~~

~~Status: Referred to Banking and Business. Does not appear to have made it out of committee.~~

~~SB 104 — Carry over from 2017. Creates Real Estate Owner's Rights Act allowing "an owner of residential real property or farm property who resides in this state and whose real property is located in this state" to personally perform certain improvements, construction, repairs, etc.~~

~~Status: No 2018 activity. Passed committee in 2017. No Senate vote, not engrossed to House, appears to be dead.~~

~~SB 269 — Carry over from 2017. New law requiring seller of real property to disclose if there is no public road or other public means of access.~~

~~Status: No 2018 activity. Does not appear to have made it out of committee.~~

~~HB 1722 — Carry over from 2017. Changes consent required for purchase of real property by the United States from consent of the Legislature to both houses of the Legislature and the Governor.~~

~~Status: No 2018 activity. Does not appear to have made it out of committee.~~

~~HB 1852 — Carry over from 2017. Empowers Governor, Speaker of the House of Representatives, and the President Pro Tempore of the Senate to approve transactions to sell, lease, transfer, etc., any or all of the property of the Grand River Dam Authority. Removes provision limiting lands transferred to any entity other than a public authority.~~

~~Status: No 2018 activity. Does not appear to have made it out of committee.~~

~~SB 509 — Carry over from 2017. Includes wind and battery storage plants in types of plants Grand River Dam Authority can acquire an interest in. Allows Authority to enter into notes, loans, commercial paper and credit or liquidity support. Amends how and when directors are elected. Amends deposit funds requirements.~~

~~Status: No 2018 activity. No Senate vote. Appears to be dead.~~

Tax

SB 1059 Changes the definition of "assessed value" regarding ad valorem taxes and changes notice requirements.

Status: Referred to Appropriations Subcommittee Finance. Passed committee, passed Senate, engrossed to House. Passed House, referred for engrossment back to Senate. Signed by Governor 5/8/2018.

~~SB 1160 — Mineral interests to be taxed in similar manner to gross production tax. Tax to be collected by OTC. If minerals are taken for failure to pay tax, surface owner (if different than mineral owners) has right of first refusal to purchase.~~

Status: Referred to Appropriations Subcommittee Finance. Does not appear to have made it out of committee.

Title Companies

HB 1826 Carry over from 2017. Requires title company to provide certified copies of all recorded covenants and restrictions to the buyer as part of the closing (previously was upon request of the buyer). Closing company may charge no more than \$25.00 for the copy. The copy shall be provided either prior to or at the time of closing either by mail to buyer's last-known address, hand-delivered, or electronically delivered. Amends statute regarding certain Trusts cannot include a purpose or be primarily used in distribution centers for intoxicating beverages and low point beer.

Status: ~~No 2018 activity.~~ In 2017, passed House, engrossed to Senate, engrossed back to House with amendments, engrossed back to Senate with conference amendments. Conference granted 4/12/2018. Lots of activity back and forth. Approved by Governor 5/10/2018.

Trespass

~~SB 1343 Removes professional land surveyors, engineers, and parties who "otherwise have a legitimate reason for entering" from the exceptions to trespass upon private land primarily devoted to farming, ranching, or forestry.~~

Status: Second reading referred to Agriculture and Wildlife. Passed committee, passed Senate, engrossed to House. Appears to have died in House committee.

Trusts

~~SB 1018 Created Oklahoma Decanting Act which allows for decanting trusts.~~

Status: Second reading referred to Judiciary. Does not appear to have made it out of committee.

~~SB 1505 Creates Oklahoma Non-Judicial Transfer of Trust Act which allows transfer of the principal place of administration of a trust without court approval or authority.~~

Status: Second reading referred to Judiciary. Does not appear to have made it out of committee.

Water Rights

SB 1147 Modifies jurisdiction of DEQ regarding water rights. Adds responsibility for development and utilization of policies and requirements for implementation of Oklahoma Groundwater Quality Standards to the extent that implementation of such standards are within the scope of the Department's jurisdiction.

Status: Passed out of committee. Passed Senate, engrossed to House. Passed House committee. Passed House, engrossed back to Senate. Signed by Governor 4/26/2018.

~~SB 1241 — Creates Oklahoma Water Sustainability Act. Public policy to promote and support long term water projects. OWRB to assist. OWRB may conduct studies to contribute to the implementation of policy recommendations of OK Comprehensive water plan. OWRB shall encourage and assist local and regional groups to develop water plans. OWRB can promulgate rules to implement the Act.~~

Status: Passed out of committee. Title and emergency clause stricken. Referred to Appropriations. Passed Senate as amended, engrossed to House. Passed Senate committee. Enacting clause stricken. No Senate vote, not engrossed back to House, appears to be dead.

~~SB 1048 — Adding jurisdictional area for DEQ.~~

Status: Second reading referred to Judiciary. Does not appear to have made it out of committee.

~~SB 1144 — Modifies rules regarding taking and using water from aquifers. Requires publication of notice.~~

Status: Second reading referred to rules. Does not appear to have made it out of committee.

Wills

~~HB 1227 — Carry over from 2017. Creates Wills and Estate Planning Registry Act — shell bill.~~

Status: No 2018 activity. Does not appear to have made it out of committee.

Wind Energy

SB 1576 Prohibits construction or operation of proposed facility or expansion if it has a "significant adverse impact on the mission, training or operations of any military installation or branch of military." A noninterference letter must be obtained. Provisions for a Determination of No Hazard or mitigation plan to be submitted to the Corporation Commission. Corporation Commission to promulgate rules and regulations for the implementation of this section of the Act. Requires submission of notification to the Oklahoma Strategic Military Planning Commission who will notify local base commanders.

Status: Second reading referred to Energy. Passed committee, passed Senate, engrossed to House. Passed House. Referred for engrossment back to Senate. House amendments adopted and passed. Signed by Governor 5/2/2018.

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