

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 HOUSE BILL 1177

By: Stark of the House

5 and

6 **Reinhardt** of the Senate

7

8 AS INTRODUCED

9 An Act relating to the Prohibition of Unfair Service
10 Agreements Act; amending Section 5, Chapter 148,
11 O.S.L. 2024 (16 O.S. Supp. 2024, Section 305), which
12 relates to prohibited recording of unfair service
13 agreements; providing that a recorded unfair service
14 agreement or notice or memorandum shall not provide
15 actual or constructive notice against a residential
16 real estate owner or title company; providing if an
17 unfair service agreement or notice or memorandum is
18 recorded it is void; and providing an effective date.

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

20 SECTION 1. AMENDATORY Section 5, Chapter 148, O.S.L.

21 2024 (16 O.S. Supp. 2024, Section 305), is amended to read as
22 follows:

23 Section 305. 1. Recording an unfair service agreement is
24 prohibited. No person shall record or cause to be recorded an
unfair service agreement or notice or memorandum thereof in this
state;

1 2. A county clerk's office shall refuse to accept for
2 recordation an unfair service agreement or notice or memorandum;
3 3. In the event that a county clerk does accidentally record an
4 unfair service agreement or notice or memorandum, the county clerk
5 shall incur no liability for doing so; and
6 4. If an unfair service agreement or notice or memorandum is
7 recorded in this state, it shall not provide actual or constructive
8 notice against an otherwise bona fide purchaser ~~or~~, creditor, or
9 title company; and
10 5. If an unfair service agreement or notice or memorandum is
11 recorded in this state it shall be considered void.

12 SECTION 2. This act shall become effective November 1, 2025.
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14 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
OVERSIGHT, dated 03/06/2025 - DO PASS, As Coauthored.
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