

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 ENGROSSED SENATE
5 BILL NO. 925

By: Hamilton, Bullard, and
Guthrie of the Senate

6 and

7 Osburn of the House

8

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

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

28 SECTION 1. NEW LAW A new section of law to be codified

29 in the Oklahoma Statutes as Section 311 of Title 16, unless there is
30 created a duplication in numbering, reads as follows:

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

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

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

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

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

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

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

23 2. With intent to defraud, misrepresents himself or herself as
24 the owner or authorized representative of the owner of real property

1 | to induce another person to rely on such false information to obtain
2 | ownership or possession of such real property; or

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

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

16 | C. A person who knowingly and willfully procures, files, or
17 | causes to be filed of public record a document pertaining to real
18 | property in this state with intent to defraud the owner of the real
19 | property or the owner of an interest in the real property shall be,
20 | upon conviction, guilty of a felony punishable by imprisonment in
21 | the custody of the Department of Corrections for a term not to
22 | exceed ten (10) years, a fine not to exceed Five Thousand Dollars
23 | (\$5,000.00), or by both such imprisonment and fine. Additionally,

1 the court shall order restitution to be paid to the aggrieved party
2 as authorized by Section 991f of Title 22 of the Oklahoma Statutes.

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

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

9 COMMITTEE REPORT BY: OVERSIGHT COMMITTEE ON JUDICIARY AND PUBLIC
10 SAFETY, dated - 04/17/2025