

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1177

By: Stark

6 AS INTRODUCED

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

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

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

19 2024 (16 O.S. Supp. 2024, Section 305), is amended to read as
20 follows:

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

25 2. A county clerk's office shall refuse to accept for
26 recordation an unfair service agreement or notice or memorandum;

1 3. In the event that a county clerk does accidentally record an
2 unfair service agreement or notice or memorandum, the county clerk
3 shall incur no liability for doing so; and

4 4. If an unfair service agreement or notice or memorandum is
5 recorded in this state, it shall not provide actual or constructive
6 notice against an otherwise bona fide purchaser or, creditor, or
7 title company; and

8 5. If an unfair service agreement or notice or memorandum is
9 recorded in this state it shall be considered void.

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

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12 60-1-10601 JL 01/08/25