

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 277

By: Montgomery

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5
6 AS INTRODUCED

7 An Act relating to cities and towns; amending Section
8 2, Chapter 326, O.S.L. 2014, as amended by Section 1,
9 Chapter 52, O.S.L. 2017 (11 O.S. Supp. 2020, Section
10 22-110.1), which relates to municipalities prohibited
11 from requiring registration of real property;
12 authorizing municipalities to collect certain
13 information relating to public nuisances, dilapidated
14 properties or unlawful conduct; prohibiting
15 municipalities to assess fee for collection of
16 information; requiring municipal governments to keep
17 collected information confidential; updating
18 statutory references; providing for codification; and
19 providing an effective date.

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

21 SECTION 1. AMENDATORY Section 2, Chapter 326, O.S.L.
22 2014, as amended by Section 1, Chapter 52, O.S.L. 2017 (11 O.S.
23 Supp. 2020, Section 22-110.1), is amended to read as follows:

24 Section 22-110.1. A. For purposes of promoting commerce and
the equitable treatment of the citizens of this state, the
registration of any real property by any municipality is declared to
be a statewide concern and shall be prohibited pursuant to
subsection B of this section.

1 B. No municipality shall enact or attempt to enforce through
2 fees, civil fines or criminal penalties any ordinance, rule or
3 regulation to require the registration of real property. Any
4 ordinance, rule or regulation contrary to the provisions of this
5 section, whether enacted prior to or after ~~the effective date of~~
6 ~~this act~~ August 22, 2014, is declared null and void and
7 unenforceable against every owner, purchaser, assignee, lessee,
8 mortgagee or beneficiary of any interest in the real property.

9 C. Nothing in this section shall prohibit a municipality from
10 creating a list of the property owners or the designees of property
11 owners of residential, commercial or leased real property to ensure
12 the public safety and welfare of its citizens.

13 Additionally, for the purpose of addressing public nuisances,
14 dilapidated properties or other unlawful conduct in accordance with
15 their general police powers, municipal governments may require:

16 1. Contact information of persons or entities responsible for
17 emergency contracts and property maintenance for property outlined
18 in this subsection; or

19 2. The name of a person or entity in this state authorized to
20 receive notice and service of process for property outlined in this
21 subsection, along with their contact information.

22 Municipal governments shall not collect a fee to administer the
23 collection of information authorized in this section.

1 D. Nothing in this section shall prohibit a municipality from
2 enacting and enforcing rules and regulations to require real
3 property owners to comply with the provisions of this section and
4 established occupancy standards as set forth by ordinance and state
5 law.

6 E. Nothing in this section shall prohibit a municipality from
7 requiring the owner of property that is the subject of any abatement
8 process provided in this title to provide the name, physical address
9 and telephone number of an individual to receive and respond to
10 communications concerning the property subject to the abatement
11 process. No future action taken by the municipality shall be
12 rendered ineffective due to the failure of the property owner to
13 provide the information pursuant to this subsection. The
14 municipality shall not assess any additional charge when requiring
15 the information.

16 F. Information obtained by the municipal government under this
17 section shall be confidential and not subject to disclosure under
18 the Open Records Act.

19 SECTION 2. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 24A.33 of Title 51, unless there
21 is created a duplication in numbering, reads as follows:

22 Any contact information of persons or entities responsible for
23 emergency contracts and property maintenance for property and the
24 names of persons or entities in this state authorized to receive
25

1 notice and service of process for property outlined in Section 22-
2 110.1 of Title 11 of the Oklahoma Statutes shall be kept
3 confidential by the requesting municipal governments.

4 SECTION 3. This act shall become effective November 1, 2021.

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