

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 57th Legislature (2019)

4 HOUSE BILL 1199

                                  By: Gann

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7                                   AS INTRODUCED

8                   An Act relating to contracts; requiring buyers of  
9                   tangible personal property to surrender possession  
10                  based upon cancellation of payment; requiring  
11                  certificates of title to be issued under certain  
12                  circumstances indicating damage or repair; providing  
13                  for codification; and providing an effective date.

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

15                  SECTION 1.           NEW LAW           A new section of law to be codified  
16                  in the Oklahoma Statutes as Section 233C of Title 15, unless there  
17                  is created a duplication in numbering, reads as follows:

18                  A.   If any person obtains any form of tangible personal property  
19                  or merchandise and makes payment by check or credit card and  
20                  subsequent to the sales transaction and after having possession of  
21                  the tangible personal property stops payment on the check or cancels  
22                  the credit card payment, the buyer shall immediately surrender  
23                  possession of the tangible personal property to the seller of such  
24                  property or to the authorized agent of the seller.

1 B. If the tangible personal property described in subsection A  
2 of this section is a motor vehicle or recreational vehicle, and the  
3 vehicle is damaged while in possession of the buyer, the certificate  
4 of title for the vehicle shall be surrendered to the Oklahoma Tax  
5 Commission and a title shall be issued indicating that the vehicle  
6 was damaged and, if applicable, that the damage to the vehicle was  
7 repaired.

8 SECTION 2. This act shall become effective November 1, 2019.

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10 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/20/2019 - DO  
11 PASS.

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