

1 **SENATE FLOOR VERSION**

2 April 2, 2019

3 ENGROSSED HOUSE
4 BILL NO. 1220

By: Hardin (Tommy) of the House

5 and

6 Simpson of the Senate

7
8 An Act relating to conveyances; amending 16 O.S.
9 2011, Section 79, which relates to penalties for
10 filing slanderous notice of claim; requiring courts
to award certain costs and fees; and providing an
effective date.

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

14 SECTION 1. AMENDATORY 16 O.S. 2011, Section 79, is
15 amended to read as follows:

16 Section 79. A. No person shall use the privilege of filing
17 notices or affidavits hereunder for the purpose of slandering the
18 title to land and, in any action brought for the purpose of quieting
19 title to land, if the court shall find that any person has filed a
20 claim for that reason, he shall award the plaintiff all the costs of
21 such action, including such attorney fees as the court may allow to
22 the plaintiff, and, in addition, shall decree that the defendant
23 asserting such claim shall pay to plaintiff three times the damages

1 that plaintiff may have sustained as the result of such notice of
2 claim having been so filed for record.

3 B. A quiet title action shall be independent of any criminal
4 action that may be filed against the defendant, and there shall be
5 no requirement that the defendant in a quiet title action be
6 convicted of any criminal act.

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

8 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
9 April 2, 2019 - DO PASS

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