

1 ENGROSSED SENATE
2 BILL NO. 698

By: Sykes of the Senate

3 and

4 Teague of the House

5
6 [service liens - personal property - licensed
7 wrecker services - effective date]
8

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

10 SECTION 1. AMENDATORY 42 O.S. 2011, Section 91A, as last
11 amended by Section 2, Chapter 316, O.S.L. 2016 (42 O.S. Supp. 2016,
12 Section 91A), is amended to read as follows:

13 Section 91A.

14 A. 1. a. This section applies to all types of personal property
15 other than:

16 (1) farm equipment as defined in Section 91.2 of this
17 title, and

18 (2) "Section 91 Personal Property" as defined in
19 Section 91 of this title.

20 b. This section applies to any vehicle, all-terrain
21 vehicle, utility vehicle, manufactured home,
22 motorcycle, boat, outboard motor, or trailer that is
23 excluded from coverage under subsection A of Section
24 91 of this title because the personal property:

- 1 (1) does not have a certificate of title, or
2 (2) has a certificate of title but does not have an
3 active lien recorded on the certificate of title,
4 or
5 (3) has a certificate of title that is not issued by
6 the Oklahoma Tax Commission or by a federally
7 recognized Indian tribe in the State of Oklahoma,
8 or
9 (4) is otherwise excluded by subparagraph b of
10 paragraph 1 of subsection A of Section 91 of this
11 title or subsection D of Section 91 of this
12 title.

13 c. If personal property has a certificate of title, or
14 would be required to have a certificate of title under
15 Oklahoma law, and is apparently covered both by this
16 section and by Sections 191 through 200 of this title,
17 the procedures set out in this section shall apply
18 instead of Sections 191 through 200 of this title. If
19 personal property without a certificate of title and
20 not required to be titled under Oklahoma law is
21 covered both by this section and Sections 191 through
22 200 of this title, the procedures set out in Sections
23 191 through 200 of this title shall apply instead of
24 this section.

1 d. This section applies to class AA licensed wrecker
2 services performing consensual tows on vehicles
3 without recorded liens.

4 2. a. Any person who, while lawfully in possession of an
5 article of personal property to which this section
6 applies, renders any service to the owner thereof by
7 furnishing storage, rental space, material, labor or
8 skill for the protection, improvement, safekeeping,
9 towing, right to occupy space, storage or carriage
10 thereof, has a special lien thereon, dependent on
11 possession, for the compensation, if any, which is due
12 to such person from the owner for such service.
13 Charges owed under a contract primarily for the
14 purpose of storage or rental of space shall be accrued
15 only at the regular periodic rate for storage or
16 rental as provided in the contract, adjusted for
17 partial periods of storage or rental.

18 b. Except for Class AA licensed wrecker towing charges,
19 the special lien shall be subordinate to any perfected
20 security interest unless the claimant complies with
21 the requirements of this section. Failure to comply
22 with any requirements of this section shall result in
23 denial of any title application and cause the special
24 lien to be subordinate to any perfected lien. Upon

1 such denial, the applicant shall be entitled to ~~one~~
2 ~~resubmission of~~ resubmit the title application within
3 ~~fifteen (15)~~ thirty (30) business days of receipt of
4 the denial, and proceed to comply with the
5 requirements of this section. If the registered owner
6 or lienholder retrieves the vehicle from the lien
7 claimant after the denial, storage fees shall not be
8 required to be paid by the registered owner or
9 lienholder from the date the denial is received from
10 the Tax Commission until the completed denial
11 correction is returned to the Tax Commission.

12 "Failure to comply" includes, but is not limited to:

- 13 (1) failure to timely provide additional
14 documentation supporting or verifying any entry
15 on submitted forms as requested by the Tax
16 Commission,
- 17 (2) failure to provide the documentation supporting
18 lawful possession as outlined in paragraph 3 of
19 subsection H of this section,
- 20 (3) claimant being other than the individual who
21 provided the service giving rise to the special
22 lien, as in subparagraph a of this paragraph ,
- 23 (4) claimant not being in possession of the vehicle,
24 or

1 (5) notification and proceedings not accomplished in
2 accordance with subparagraph c of this paragraph,
3 and paragraph 3 of this subsection.

4 c. Any person claiming a lien under this section shall
5 request, within five (5) business days of performing
6 any service or work on the property, the Tax
7 Commission or other appropriate license agency to
8 furnish the name and address of the current owner of
9 and any lienholder upon the property. The Motor
10 Vehicle Division of the Tax Commission or appropriate
11 Oklahoma license agency shall respond in person or by
12 mail to the lien claimant within ten (10) business
13 days of the receipt of the request for information.
14 Certified return receipt requested notices as required
15 by the Tax Commission shall be mailed within seven (7)
16 business days of the receipt of the new registration
17 information from the tribal or out-of-state titling
18 agency. The Tax Commission shall render assistance to
19 ascertain ownership, if needed. The lien claimant
20 shall send, within seven (7) business days of receipt
21 of the requested information from the Oklahoma Tax
22 Commission or other Oklahoma license agency, a notice
23 of the location of the property by certified mail with
24 return receipt requested, postage prepaid, to the

1 owner and any lienholder of the vehicle at the
2 addresses furnished. The lien claimant may charge
3 Twenty Dollars (\$20.00) for processing plus the cost
4 of postage if the notice is timely sent pursuant to
5 the requirements of this subparagraph in addition to
6 fees regulated by the Oklahoma Corporation Commission
7 for licensed wreckers. If the lien claimant is unable
8 to meet the time requirements due to a lack of or an
9 altered vehicle identification number on the property,
10 the lien claimant shall proceed diligently to obtain
11 the proper vehicle identification number and shall
12 meet the time requirements on the notice once the
13 vehicle identification number is known. If the lien
14 claimant is required to send additional notices
15 because of change of ownership or lienholder after it
16 has timely complied with the requirements of this
17 subparagraph, the lien claimant shall remain in
18 compliance if such additional notices are sent within
19 the required time periods from the date of discovery
20 of the new owners or lienholders. The notice shall be
21 in writing and shall contain, but not be limited to,
22 the following:

- 23 (1) a statement that the notice is a Notice of
24 Possessory Lien,

- 1 (2) the complete legal name, physical and mailing
2 address, and telephone number of the claimant,
3 (3) the complete legal name, physical and mailing
4 address of the person who requested that the
5 claimant render service to the owner by
6 furnishing material, labor or skill, storage, or
7 rental space, or the date the property was
8 abandoned if the claimant did not render any
9 other service,
10 (4) a description of the article of personal
11 property, and the complete physical and mailing
12 address of the location of the article of
13 personal property,
14 (5) the nature of the work, labor or service
15 performed, material furnished, or the storage or
16 rental arrangement, and the date thereof, and
17 written proof of authority to perform the work,
18 labor or service provided that, in the case of a
19 law enforcement directed tow, the logbook entry
20 prescribed in OAC 595:25-5-5 or the tow ticket as
21 defined by the Corporation Commission shall serve
22 as written proof of authority,
23 (6) the signature of the claimant which shall be
24 notarized and, if applicable, the signature of

1 the claimant's attorney. If the claimant is a
2 business, the name of the contact person
3 representing the business shall be shown. In
4 place of an original signature and notary seal, a
5 digital or electronic signature or seal shall be
6 accepted, and

7 (7) an itemized statement describing the date or
8 dates the labor or services were performed and
9 material furnished and the charges claimed for
10 each item, the totals of which shall equal the
11 total compensation claimed.

12 The lien claimant shall not be required to send the
13 notice required in this subparagraph if the property
14 is released to an interested party before the notice
15 is mailed and no additional charges or fees continue
16 to accrue. If a law enforcement agency has the
17 property towed to a law enforcement facility, the
18 person claiming a lien under this section shall not be
19 required to send notice until the property is released
20 by law enforcement to the claimant or the date which
21 claimant starts charging storage, whichever is
22 earlier. A lien claimant shall have an extension of
23 ten (10) business days to send the notice required in
24 this subparagraph if a state of emergency has been

1 declared in the county in which the property is
2 located.

3 d. Subparagraphs b and c of this paragraph shall not
4 apply to salvage pools as defined in Section 591.2 of
5 Title 47 of the Oklahoma Statutes.

6 3. The lien may be foreclosed by a sale of such personal
7 property upon the notice and in the manner following: The notice
8 shall be in writing and shall contain, but not be limited to:

9 a. the names of the owner and any other known party or
10 parties who may claim any interest in the property,

11 b. a description of the property to be sold, including a
12 visual inspection or a photograph if the property is a
13 motor vehicle, and the physical location of the
14 property,

15 c. the nature of the work, labor or service performed,
16 material furnished, or the storage or rental
17 arrangement, and the date thereof, and written proof
18 of authority to perform the work, labor or service
19 provided. In the case of a law enforcement directed
20 tow, the logbook entry prescribed in OAC 595:25-5-5 or
21 the tow ticket as defined by the Corporation
22 Commission, shall serve as written proof of authority,

23 d. the time and place of sale,
24

1 e. the name, telephone number, physical address and
2 mailing address of the claimant, and agent or
3 attorney, if any, foreclosing such lien. If the
4 claimant is a business, then the name of the contact
5 person representing the business must be shown. In
6 place of an original signature and notary seal, a
7 digital or electronic signature or seal shall be
8 accepted, and

9 f. itemized charges which shall equal the total
10 compensation claimed.

11 4. a. Such Notice of Sale shall be posted in two public
12 places in the county where the property is to be sold
13 at least ten (10) days before the time therein
14 specified for such sale, and a copy of the notice
15 shall be mailed to the owner and any other party
16 claiming any interest in the property, if known, at
17 their last-known post office address, by certified
18 mail, return receipt requested, at least ten (10) days
19 before the time therein specified for such sale. If
20 the item of personal property is a manufactured home,
21 notice shall also be sent by certified mail to the
22 county treasurer and to the county assessor of the
23 county where the manufactured home is located.
24

1 b. In the case of any item of personal property without a
2 certificate of title and not required to be titled
3 under Oklahoma law, a party who claims any interest in
4 the property shall include all owners of the property;
5 any secured party who has an active financing
6 statement on file with the county clerk of Oklahoma
7 County listing one or more owners of the property by
8 legal name as debtors and indicating a collateral
9 description that would include the property; and any
10 other person having any interest in the personal
11 property, of whom the claimant has actual notice.

12 c. In the case of personal property subject to this
13 section for which a certificate of title has been
14 issued by any jurisdiction, a party who claims any
15 interest in the property shall include all owners of
16 the article of personal property as indicated by the
17 certificate of title; lien debtors, if any, other than
18 the owners; any lienholder whose lien is noted on the
19 face of the certificate of title; and any other person
20 having any interest in the article of personal
21 property, of whom the claimant has actual notice.

22 d. When the jurisdiction of titling for a vehicle, all-
23 terrain vehicle, motorcycle, boat, outboard motor, or
24 trailer that is five (5) model years old or newer, or

1 a manufactured home that is fifteen (15) model years
2 old or newer, cannot be determined by ordinary means,
3 the claimant, the agent of the claimant, or the
4 attorney of the claimant, shall request, in writing,
5 that the Oklahoma Tax Commission Motor Vehicle
6 Division ascertain the jurisdiction where the vehicle
7 or manufactured home is titled. The Oklahoma Tax
8 Commission Motor Vehicle Division shall, within
9 fourteen (14) days from the date the request is
10 received, provide information as to the jurisdiction
11 where the personal property is titled. If the
12 Oklahoma Tax Commission Motor Vehicle Division is
13 unable to provide the information, it shall provide
14 notice that the record is not available.

15 e. When personal property is of a type that Oklahoma law
16 requires to be titled, the owner of record of that
17 property is unknown, and the jurisdiction of titling
18 and owner of record cannot be determined by ordinary
19 means and also, if applicable, cannot be determined in
20 accordance with the preceding subparagraph, then the
21 special lien may be foreclosed by publication of a
22 legal notice in a legal newspaper in the county where
23 the personal property is located, as defined in
24 Section 106 of Title 25 of the Oklahoma Statutes.

1 Such notice shall include the description of the
2 property by year, make, vehicle identification number
3 if available from the property, the name of the
4 individual who may be contacted for information, and
5 the telephone number of that person or the address
6 where the vehicle is located. The legal notice shall
7 be published once per week for three (3) consecutive
8 weeks. As soon as circumstances exist as described in
9 the first sentence of this subparagraph, the first
10 date of publication may occur even if the special lien
11 has not accrued for over thirty (30) days. The first
12 date available for public sale of the vehicle is the
13 day following publication of the final notice, but no
14 fewer than thirty (30) days after the lien has
15 accrued. When the owner of record is unknown, the
16 Notice of Sale nevertheless must be completed and
17 mailed to any known interested party by certified
18 mail. For purposes of this paragraph, interested
19 parties shall include all persons described in
20 subparagraph b or subparagraph c of this paragraph,
21 whichever is applicable, with the exception of any
22 owner who is unknown. Except in circumstances
23 described in paragraph 7 of this subsection that
24 provide for a shorter time period, the Notice of Sale

1 shall be posted in two public places in the county
2 where the property is to be sold at least ten (10)
3 days before the time therein specified for such sale,
4 and the Notice of Sale shall not be mailed until at
5 least thirty (30) days after the lien has accrued.

6 5. The lienor or any other person may in good faith become a
7 purchaser of the property sold.

8 6. Proceedings for foreclosure under this act shall not be
9 commenced until thirty (30) days after the lien has accrued, except
10 as provided elsewhere in Oklahoma law.

11 7. Notwithstanding any other provision of law, proceedings for
12 foreclosures for the storage of junk vehicles towed and stored
13 pursuant to Section 955 of Title 47 of the Oklahoma Statutes by
14 Class AA wreckers listed with the Motor Vehicle Division of the
15 Department of Public Safety, may be commenced five (5) days after
16 the lien has accrued. For purposes of this paragraph, "junk
17 vehicles" means any vehicle that is more than ten (10) years old if
18 the cost of a comparable vehicle would be less than Three Hundred
19 Dollars (\$300.00) as quoted in the latest edition of the National
20 Automobile Dealers Association Official Used Car Guide or latest
21 monthly edition of any other nationally recognized published
22 guidebook, adjusting to the condition of the vehicle.

23 B. 1. a. Any person who is induced by means of a check or other
24 form of written order for immediate payment of money

1 to deliver up possession of an article of personal
2 property on which the person has a special lien
3 created by subsection A of this section, which check
4 or other written order is dishonored, or is not paid
5 when presented, shall have a lien for the amount
6 thereof upon the personal property.

7 b. The person claiming such lien shall, within thirty
8 (30) days from the date of dishonor of the check or
9 other written order for payment of money, file in the
10 office of the county clerk of the county in which the
11 property is situated a sworn statement that:

12 (1) the check or other written order for immediate
13 payment of money, copy thereof being attached,
14 was received for labor, material or supplies for
15 producing or repairing an article of personal
16 property, or for other specific property-related
17 services covered by this section,

18 (2) the check or other written order was not paid,
19 and

20 (3) the uttering of the check or other written order
21 constituted the means for inducing the person,
22 one possessed of a special lien created by
23 subsection A of this section upon the described
24

1 article of personal property, to deliver up the
2 article of personal property.

3 2. a. Any person who renders service to the owner of an
4 article of personal property by furnishing storage,
5 rental space, material, labor, or skill for the
6 protection, improvement, safekeeping, towing, right to
7 occupy space, storage, or carriage thereof shall have
8 a special lien on such property pursuant to this
9 section if such property is removed from the person's
10 possession, without such person's written consent or
11 without payment for such service.

12 b. The person claiming such lien shall, within five (5)
13 days of such nonauthorized removal, file in the office
14 of the county clerk of the county in which the
15 property is located, a sworn statement including:

16 (1) that services were rendered on or in relation to
17 the article of personal property by the person
18 claiming such lien,

19 (2) that the property was in the possession of the
20 person claiming the lien but such property was
21 removed without his or her written consent,

22 (3) an identifying description of the article of
23 personal property on or in relation to which the
24 service was rendered, and

1 (4) that the debt for the services rendered on or in
2 relation to the article of personal property was
3 not paid. Provided, if the unpaid total amount
4 of the debt for services rendered on or in
5 relation to the article of personal property is
6 unknown, an approximated amount of the debt due
7 and owing shall be included in the sworn
8 statement but such approximated debt may be
9 amended within thirty (30) days of such filing to
10 reflect the actual amount of the debt due and
11 owing.

12 3. The enforcement of the lien shall be within sixty (60) days
13 after filing the lien in the manner provided by law for enforcing
14 the lien of a security agreement and provided that the lien shall
15 not affect the rights of innocent, intervening purchasers without
16 notice.

17 C. If the person who renders service to the owner of an article
18 of personal property to which this section applies relinquishes or
19 loses possession of the article due to circumstances described in
20 subparagraph a of paragraph 1 or subparagraph a of paragraph 2 of
21 subsection B of this section, the person claiming the lien shall be
22 entitled to possession of the article until the amount due is paid,
23 unless the article is possessed by a person who became a bona fide
24

1 purchaser. Entitlement to possession shall be in accordance with
2 the following:

3 1. The claimant may take possession of an article pursuant to
4 this subsection only if the person obligated under the contract for
5 services has signed an acknowledgment of receipt of a notice that
6 the article may be subject to repossession. The notice and
7 acknowledgment pursuant to this subsection shall be:

8 a. in writing and separate from the written contract for
9 services, or

10 b. printed on the written contract for services, credit
11 agreement or other document which displays the notice
12 in bold-faced, capitalized and underlined type, or is
13 separated from surrounding written material so as to
14 be conspicuous with a separate signature line;

15 2. The claimant may require the person obligated under the
16 contract for services to pay the costs of repossession as a
17 condition for reclaiming the article only to the extent of the
18 reasonable fair market value of the services required to take
19 possession of the article;

20 3. The claimant shall not transfer to a third party or to a
21 person who performs repossession services, a check, money order, or
22 credit card transaction that is received as payment for services
23 with respect to an article and that is returned to the claimant
24 because of insufficient funds or no funds, because the person

1 writing the check, issuing the money order, or credit cardholder has
2 no account or because the check, money order, or credit card account
3 has been closed. A person violating this paragraph shall be guilty
4 of a misdemeanor; and

5 4. An article that is repossessed pursuant to this subsection
6 shall be promptly delivered to the location where the services were
7 performed. The article shall remain at the services location at all
8 times until the article is lawfully returned to the record owner or
9 a lienholder or is disposed of pursuant to this section.

10 D. 1. This section applies if a vehicle, all-terrain vehicle,
11 manufactured home, motorcycle, boat, outboard motor, or trailer has
12 a certificate of title issued by the Tax Commission or by a
13 federally recognized Indian tribe in Oklahoma, but there is no
14 active lien recorded on the certificate of title.

15 2. This section applies if a vehicle, all-terrain vehicle,
16 utility vehicle, motorcycle, boat, outboard motor or trailer has a
17 certificate of title issued by the Tax Commission or by a federally
18 recognized Indian tribe in Oklahoma, and there is an active lien
19 recorded on the certificate of title, but the lien is over fifteen
20 (15) years old.

21 3. This section applies if personal property to which Section
22 91 of this title otherwise would apply has been registered by the
23 Tax Commission or by a federally recognized Indian tribe in the
24

1 State of Oklahoma, and there is a lien of record but no certificate
2 of title has been issued.

3 4. This section applies if personal property to which Section
4 91 of this title otherwise would apply has not been registered by
5 either the Tax Commission or a federally recognized Indian tribe in
6 the State of Oklahoma, and no certificate of title has been issued,
7 but there is a lien of record.

8 5. This section applies to personal property that otherwise
9 would be covered by Section 91 of this title, except that the
10 services were rendered or the property was abandoned prior to
11 November 1, 2005.

12 6. This section applies to a vehicle, all-terrain vehicle,
13 utility vehicle, manufactured home, motorcycle, boat, outboard
14 motor, or trailer for which ownership cannot be determined by
15 ordinary means or by the Oklahoma Tax Commission Motor Vehicle
16 Division, as provided in subparagraphs d and e of paragraph 4 of
17 subsection A of this section, as applicable.

18 7. This section applies to items of personal property that are
19 not required by Oklahoma law to be titled, and that do not have a
20 certificate of title.

21 8. This section applies to salvage pools as defined in Section
22 591.2 of Title 47 of the Oklahoma Statutes.

23 9. This section applies to class AA licensed wrecker services
24 taking possession of a vehicle pursuant to an agreement with, or at

1 the direction of, or dispatched by a state or local law enforcement
2 or government agency, or pursuant to the abandoned vehicle removal
3 provisions of Section 954A of Title 47 of the Oklahoma Statutes with
4 respect to all types of personal property, regardless of whether
5 that personal property has a certificate of title. This section
6 applies to class AA licensed wrecker services performing consensual
7 tows on vehicles without recorded liens.

8 10. For a vehicle abandoned at a salvage pool, if the cost of
9 repairing the vehicle for safe operation on the highway does not
10 exceed sixty percent (60%) of the fair market value of the vehicle
11 as defined in Section 1111 of Title 47 of the Oklahoma Statutes, a
12 salvage title shall not be required.

13 E. A person who knowingly makes a false statement of a material
14 fact regarding the furnishing of storage, rental space, material,
15 labor or skill for the protection, improvement, safekeeping, towing,
16 right to occupy space, storage or carriage thereof in a proceeding
17 under this section, or attempts to use or uses the provisions of
18 this section to foreclose an owner or lienholder's interest in a
19 vehicle knowing that any of the statements made in the proceeding
20 are false, upon conviction, shall be guilty of a felony.

21 F. Upon receipt of notice of legal proceedings, the Tax
22 Commission shall cause the sale process to be put on hold until
23 notice of resolution of court proceedings is received from the
24 court. If such notice of commencement of court proceedings is not

1 filed with the Tax Commission, the possessory lien sale process may
2 continue.

3 G. No possessory lien sale shall be held on a Sunday.

4 H. For purposes of this section:

5 1. "Possession" includes actual possession and constructive
6 possession;

7 2. "Constructive possession" means possession by a person who,
8 although not in actual possession, does not have an intention to
9 abandon property, knowingly has both power and the intention at a
10 given time to exercise dominion or control over the property, and
11 who holds claim to such thing by virtue of some legal right;

12 3. "Lawfully in possession" means a person has documentation
13 from the owner or the owner's authorized agent, or an insurance
14 company or its authorized agent, authorizing the furnishing of
15 material, labor or storage, or that the property was authorized to
16 be towed to a repair facility.

17 Class AA wrecker services taking possession of a vehicle
18 pursuant to an agreement with, or at the direction of, or dispatched
19 by, a state or local law enforcement or government agency, or
20 pursuant to the abandoned vehicle removal provisions of Section 954A
21 of Title 47 of the Oklahoma Statutes, shall be considered lawfully
22 in possession of the vehicle. If the person lacks such
23 documentation, the procedures established by this section shall not
24 apply; and

1 4. "Itemized charges" means total parts, total labor, total
2 towing fees, total storage fees, total processing fees and totals of
3 any other fee groups, the sum total of which shall equal the
4 compensation claimed.

5 I. For purposes of this section, the United States Postal
6 Service approved electronic equivalent of proof of return receipt
7 requested Form 3811 shall satisfy return receipt requested
8 documentation requirements. The tracking report from the United
9 States Postal Service tracking website showing the mailing of the
10 certified return receipt requested letter shall serve as proof of
11 mailing if Form 3811 is not available or has not been returned by
12 the Postal Service.

13 J. If a person claiming a special lien pursuant to this section
14 fails to comply with any of the requirements of this section, any
15 interested party may proceed against the person claiming such lien
16 for all damages arising therefrom, including conversion, if the
17 article of personal property has been sold. If the notice or
18 notices required by this section shall be shown to be knowingly
19 false or fraudulent, the interested party shall be entitled to
20 treble damages. The prevailing party shall be entitled to all
21 costs, including reasonable attorney fees.

22 K. Any interested party shall be permitted to visually inspect
23 and verify the services rendered by the claimant prior to the sale
24 of the article of property during normal business hours. If the

1 claimant fails to allow any interested party to inspect the
2 property, the interested party shall mail a request for inspection
3 by certified mail, return receipt requested, to the claimant.
4 Within three (3) business days of receipt of the request for
5 inspection, the claimant shall mail a photograph of the property, by
6 certified mail, return receipt requested, and a date of inspection
7 within five (5) business days from the date of the notice to
8 inspect. The lienholder shall be allowed to retrieve the property
9 without being required to bring the title into the lienholder's
10 name, if the lienholder provides proof it is a lienholder and any
11 payment due the claimant for lawful charges where the claimant has
12 complied with this section. Upon the release of personal property
13 to an insurer or representative of the insurer, wrecker operators
14 shall be exempt from all liability and shall be held harmless for
15 any losses or claims of loss. In the event any law enforcement
16 agency places a hold on the property, the party wanting to inspect
17 or photograph the property shall obtain permission from the law
18 enforcement agency that placed the hold on the property before
19 inspecting or photographing.

20 L. This section shall apply to all actions or proceedings that
21 commence on or after ~~the effective date of this act~~ November 1,
22 2014.

23 SECTION 2. This act shall become effective November 1, 2017.
24

