

1 **SENATE FLOOR VERSION**

2 April 2, 2019

3 ENGROSSED HOUSE
4 BILL NO. 1222

By: Perryman of the House

5 and

6 Howard of the Senate

7
8 An Act relating to conveyances; amending 16 O.S.
9 2011, Section 13, which relates to joinder of spouses
10 with respect to certain property; providing for
11 effect of conveyances by married grantors; providing
12 for recordation of certain instruments related to
13 marketable title; and providing an effective date.

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

15 SECTION 1. AMENDATORY 16 O.S. 2011, Section 13, is
16 amended to read as follows:

17 Section 13. A. The husband or wife may convey, mortgage or
18 make any contract relating to any real estate, other than the
19 homestead, belonging to him or her, as the case may be, without
20 being joined by the other in such conveyance, mortgage or contract.

21 B. In the event a recorded conveyance of nonhomestead property
22 has been executed by a married grantor without being joined by his
23 or her spouse, said conveyance shall still be considered a valid
24 conveyance of marketable title if one of the following instruments
is placed of record:

1 1. An affidavit executed by the nonjoining spouse stating that
2 the property conveyed was nonhomestead property; or

3 2. A conveyance executed by the nonjoining spouse, with or
4 without others, relinquishing any claim to an interest in the
5 property to the same grantee, or to a successor or successors in
6 interest, with a recitation that the property was nonhomestead
7 property.

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

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

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