

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE BILL 1534

By: Bullard

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5
6 AS INTRODUCED

7 An Act relating to property; amending 60 O.S. 2011,
8 Sections 121, 122 and 125, which relate to alien
9 ownership of land; prohibiting certain ownership of
10 land through business entity or trust; requiring
11 closing company to obtain certain affidavit;
12 directing Oklahoma Real Estate Commission to
13 promulgate certain affidavit form; modifying
14 exception to certain ownership requirements;
15 establishing Citizen Land Ownership Unit of the
16 Office of the Attorney General; making language
17 gender-neutral; updating statutory reference; and
18 providing an effective date.

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

20 SECTION 1. AMENDATORY 60 O.S. 2021, Section 121, is
21 amended to read as follows:

22 Section 121. No alien or any person who is not a citizen of the
23 United States shall acquire title to or own land in ~~the State of~~
24 ~~Oklahoma~~ this state either directly or indirectly through a business
entity or trust, except as hereinafter provided, but he or she shall
have and enjoy in ~~the State of Oklahoma~~ this state such rights as to
personal property as are, or shall be accorded a citizen of the
United States under the laws of the nation to which such alien

1 belongs, or by the treaties of such nation with the United States,
2 except as the same may be affected by the provisions of ~~this act~~
3 Section 121 et seq. of this title or the Constitution of this state.
4 Prior to closing of a sale of or transfer of title to land, a
5 closing company shall obtain from any person whose name will appear
6 on the legal title to the land or any person authorized to enter
7 into a contract for the land on behalf of a lawfully recognized
8 business entity an affidavit attesting under penalty of perjury that
9 the person or business entity is obtaining the land in compliance
10 with the requirements of this article and that no funding source is
11 being used in the sale or transfer in violation of this section or
12 any other state or federal law. Pursuant to authority granted in
13 Section 858-208 of Title 59 of the Oklahoma Statutes, the Oklahoma
14 Real Estate Commission shall promulgate an affidavit form to comply
15 with the requirements of this section.

16 SECTION 2. AMENDATORY 60 O.S. 2021, Section 122, is
17 amended to read as follows:

18 Section 122. This article shall not apply to lands now owned in
19 this state by aliens so long as they are held by the present owners,
20 nor to any alien who is or shall take up bona fide residence in this
21 state: ~~and;~~ provided, that any alien who is or shall become a bona
22 fide resident of the State of Oklahoma, or any lawfully recognized
23 business entity, the majority of the voting stock or equivalent
24 controlling equity interest of which is owned by one or more

1 resident aliens, shall have the right to acquire and hold lands in
2 this state upon the same terms as citizens of the State of Oklahoma
3 during the continuance of such bona fide residence of such alien in
4 this state: Provided, that if any such resident alien shall cease
5 to be a bona fide inhabitant of this state, such alien shall have
6 five (5) years from the time he or she ceased to be such bona fide
7 resident in which to alienate such lands.

8 SECTION 3. AMENDATORY 60 O.S. 2021, Section 125, is
9 amended to read as follows:

10 Section 125. It shall be the duty of the Attorney General or
11 the district attorney of the county where the land is situate, when
12 he shall be informed or have reason to believe that any lands in the
13 state are being held contrary to the provisions of this act, or the
14 provisions of the Constitution of this state, to institute suit in
15 behalf of the State of Oklahoma in the district court of the county
16 in which said lands are situate, praying for the escheat of the same
17 in behalf of the state, and proceed therein as in cases provided by
18 law for escheats of lands or property where such property has no
19 known owner: Provided, that before any such suit is instituted, the
20 Attorney General, or district attorney aforesaid, as the case may
21 be, shall give thirty (30) days' notice by registered letter of his
22 intention to sue, directed to the owner of the lands, at his last-
23 known post office address or to the persons who last rendered the
24 same for taxes, or to any known agents of the owner; proof of having

1 mailed such registered letter shall be deemed and held prima facie
2 evidence of the giving of such notice.

3 B. There is hereby created within the Office of the Attorney
4 General a Citizen Land Ownership Unit to enforce the provisions of
5 this act.

6 SECTION 4. This act shall become effective November 1, 2022.

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