

An Act

ENROLLED SENATE
BILL NO. 2104

By: Ballenger of the Senate

and

Sanders of the House

An Act relating to liens; amending 42 O.S. 2001, Section 143.1, which relates to notice; increasing certain time period; and providing an effective date.

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

SECTION 1. AMENDATORY 42 O.S. 2001, Section 143.1, is amended to read as follows:

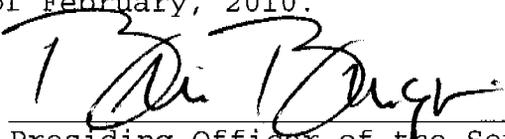
Section 143.1 A. Within ~~one (1)~~ five (5) business ~~day~~ days after the date of the filing of the lien statement provided for in Sections 142 and 143 of this title, a notice of the lien shall be mailed by certified mail, return receipt requested, to the owner of the property on which the lien attaches. The claimant shall furnish to the county clerk the last-known mailing address of the person or persons against whom the claim is made and the owner of the property. The notice shall be mailed by the county clerk. The fee for preparing and mailing the notice of mechanics' and materialmen's lien and costs for each additional page or exhibit shall be as provided for in Section 32 of Title 28 of the Oklahoma Statutes and shall be paid by the person filing the lien. The fee shall be deposited into the County Clerk's Lien Fee Account, created pursuant to the provisions of Section 265 of Title 19 of the Oklahoma Statutes.

B. The notice shall contain the date of filing; the name and address of the following: The person claiming the lien; the person

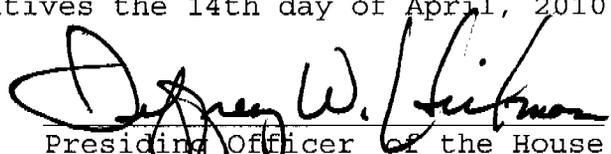
against whom the claim is made and the owner of the property; a legal description of the property; and the amount claimed. Provided that, if with due diligence the person against whom the claim is made or the owner of the property cannot be found, the claimant after filing an affidavit setting forth such facts may, within sixty (60) days of the filing of the lien statement, serve a copy of the notice upon the occupant of the property or the occupant of the improvements, as the case may be, in a like manner as is provided for service upon the owner thereof, or, if the same be unoccupied, the claimant may post a copy in a conspicuous place upon the property or any improvements thereon.

SECTION 2. This act shall become effective November 1, 2010.

Passed the Senate the 23rd day of February, 2010.


Presiding Officer of the Senate

Passed the House of Representatives the 14th day of April, 2010.


Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Governor this 15th
day of April, 2010,
at 1:54 o'clock P M.

By: [Signature]

Approved by the Governor of the State of Oklahoma the 19th day of
April, 2010, at 4:30 o'clock P M.

[Signature]
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this
20th day of April, 2010,
at 3:08 o'clock P M.

By: [Signature]