

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1043

By: Rosino of the Senate

and

Moore of the House

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10 COMMITTEE SUBSTITUTE

11 [counties and county officers - county clerks -
12 assessment of fees - effective date]

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

17 SECTION 1. AMENDATORY 19 O.S. 2011, Section 245, as
18 amended by Section 1, Chapter 360, O.S.L. 2013 (19 O.S. Supp. 2017,
19 Section 245), is amended to read as follows:

20 Section 245. A. It shall be the duty of the county clerk to
21 designate upon every account, which shall be audited and allowed by
22 the board, the amount so allowed, and the clerk shall deliver to any
23 person a copy certified or otherwise of any record in the clerk's
24 office and any account on file thereon, upon receiving the fee

1 allowed pursuant to the Oklahoma Open Records Act or the county
2 clerk fee schedule, Section 32 of Title 28 of the Oklahoma Statutes,
3 for every page contained in the copy. Upon demand, the clerk shall
4 furnish a certified copy in the form as it exists and at the
5 preference of the requestor as provided by the Oklahoma Open Records
6 Act or the county clerk fee schedule.

7 B. If the clerk provides records in an electronic format, the
8 clerk may charge a reasonable fee for providing such records. For
9 purposes of this section, "reasonable fee" shall mean the fee ~~being~~
10 charged by the clerk ~~as of January 1, 2013, but~~ shall not exceed
11 twenty-five cents (\$0.25) per page image or fifteen cents (\$0.15)
12 per page image for providing more than three thousand five hundred
13 pages (3,500) images in an electronic format. All recording devices
14 for providing records in an electronic format shall be supplied by
15 the county clerk. News media obtaining records in an electronic
16 format for a news purpose and licensed abstractors performing their
17 duties pursuant to state law shall be exempt from the fees provided
18 for in this subsection. Nothing in this section shall be construed
19 to allow county clerks to provide all or part of a tract index for
20 use in any commercial purpose.

21 SECTION 2. This act shall become effective November 1, 2018.

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23 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,
24 dated 03/28/2018 - DO PASS, As Amended.