

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1043 By: Rosino of the Senate
3 and
4 Moore of the House
5
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7 An Act relating to counties and county officers;
8 amending 19 O.S. 2011, Section 245, as amended by
9 Section 1, Chapter 360, O.S.L. 2013 (19 O.S. Supp.
10 2017, Section 245), which relates to county clerks;
11 modifying requirements for the assessment of certain
12 fees for dissemination of records; and providing an
13 effective date.

14 AMENDMENT NO. 1. Replace the title, enacting clause and entire bill
15 and insert

16 "[counties and county officers - county clerks -
17 assessment of fees - effective date]

18
19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

23 Section 245. A. It shall be the duty of the county clerk to
24 designate upon every account, which shall be audited and allowed by

1 the board, the amount so allowed, and the clerk shall deliver to any
2 person a copy certified or otherwise of any record in the clerk's
3 office and any account on file thereon, upon receiving the fee
4 allowed pursuant to the Oklahoma Open Records Act or the county
5 clerk fee schedule, Section 32 of Title 28 of the Oklahoma Statutes,
6 for every page contained in the copy. Upon demand, the clerk shall
7 furnish a certified copy in the form as it exists and at the
8 preference of the requestor as provided by the Oklahoma Open Records
9 Act or the county clerk fee schedule.

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

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

1 ENGROSSED SENATE
BILL NO. 1043

By: Rosino of the Senate

2
3 and

4 Moore of the House
5

6 An Act relating to counties and county officers;
7 amending 19 O.S. 2011, Section 245, as amended by
8 Section 1, Chapter 360, O.S.L. 2013 (19 O.S. Supp.
9 2017, Section 245), which relates to county clerks;
10 modifying requirements for the assessment of certain
11 fees for dissemination of records; and providing an
12 effective date.

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

14 SECTION 3. AMENDATORY 19 O.S. 2011, Section 245, as
15 amended by Section 1, Chapter 360, O.S.L. 2013 (19 O.S. Supp. 2017,
16 Section 245), is amended to read as follows:

17 Section 245. A. It shall be the duty of the county clerk to
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16 use in any commercial purpose.

17 SECTION 4. This act shall become effective November 1, 2018.

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