

1 **SENATE FLOOR VERSION**

2 February 21, 2019

3 SENATE BILL NO. 3

By: Rosino of the Senate

4 and

5 Kannady of the House

6
7
8 An Act relating to counties and county officers;
9 amending 19 O.S. 2011, Section 245, as amended by
10 Section 1, Chapter 360, O.S.L. 2013 (19 O.S. Supp.
11 2018, Section 245), which relates to county clerks;
12 modifying requirements for the assessment of certain
13 fees for dissemination of records; and providing an
14 effective date.

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

16 SECTION 1. AMENDATORY 19 O.S. 2011, Section 245, as
17 amended by Section 1, Chapter 360, O.S.L. 2013 (19 O.S. Supp. 2018,
18 Section 245), is amended to read as follows:

19 Section 245. A. It shall be the duty of the county clerk to
20 designate upon every account, which shall be audited and allowed by
21 the board, the amount so allowed, and the clerk shall deliver to any
22 person a copy certified or otherwise of any record in the clerk's
23 office and any account on file thereon, upon receiving the fee
24 allowed pursuant to the Oklahoma Open Records Act or the county
clerk fee schedule, Section 32 of Title 28 of the Oklahoma Statutes,

1 for every page contained in the copy. Upon demand, the clerk shall
2 furnish a certified copy in the form as it exists and at the
3 preference of the requestor as provided by the Oklahoma Open Records
4 Act or the county clerk fee schedule.

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

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

20 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
21 February 21, 2019 - DO PASS

22
23
24