

# An Act

ENROLLED SENATE  
BILL NO. 442

By: Haste of the Senate

and

Lawson, Humphrey and  
Roberts (Dustin) of the  
House

An Act relating to fees; amending 28 O.S. 2011,  
Section 32, which relates to county clerks;  
increasing certain fee for records preservation;  
updating statutory reference; and providing an  
effective date.

SUBJECT: Fees to county clerk

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

SECTION 1. AMENDATORY 28 O.S. 2011, Section 32, is  
amended to read as follows:

Section 32. A. Notwithstanding any other provision of law  
county clerks shall charge and collect the following flat fees to be  
uniform throughout the state regardless of the recording method  
used, and the county clerks shall not be required to itemize or  
charge these fees pursuant to any other schedule, except as  
specifically provided by law:

1. For recording the first page of deeds,  
mortgages and any other instruments not  
subject to the fee imposed by Section 1-9-525  
of Title 12A of the Oklahoma Statutes.....\$8.00

2. For recording each additional page of same instrument.....\$2.00
3. For furnishing hard copies of microfilmed records to bonded abstractors only, per page.....\$1.00
4. For furnishing photographic copies of photographic records, or of typewritten script or printed records, per page.....\$1.00
5. For recording plat of one block or less..... \$10.00
6. For recording plat of more than one block..... \$25.00
7. For certifying to any copy per page..... \$1.00
8. For recording an assignment of Tax Sale Certificate to be paid by the party purchasing.....\$5.00
9. For recording of any mark or brand and giving certificate for same.....\$5.00
10. For recording each certificate for estrays and forwarding description of same, as required by law.....\$1.00
11. a. For recording and filing of mechanics' or materialmen's liens which includes the release thereof.....\$10.00
- b. For preparing and mailing notice of mechanics' or materialmen's lien.....\$8.00  
plus the actual cost of postage
- c. For each additional page or exhibit.....\$2.00
12. For recording and filing of fictitious name partnership certificates.....\$5.00

To this fee shall be added the fees required by Sections 81 through ~~86~~ 84.1 of Title 54 of the Oklahoma Statutes.

- 13. For recording the first page of deeds, mortgages, and any other instruments which are nonconforming pursuant to subsection C of Section 298 of Title 19 of the Oklahoma Statutes..... \$25.00
- 14. For recording each additional page of an instrument which is nonconforming pursuant to subsection C of Section 298 of Title 19 of the Oklahoma Statutes..... \$10.00

B. The fees prescribed in paragraph 4 of subsection A of this section shall be deposited into the County Clerk's Lien Fee Account, created pursuant to Section 265 of Title 19 of the Oklahoma Statutes.

C. For the purpose of preserving, maintaining, and archiving recorded instruments including, but not limited to, records management, records preservation, automation, modernization, and related lawful expenditures, in addition to all other fees required by law, the county clerk shall collect ~~Five Dollars (\$5.00)~~ Ten Dollars (\$10.00) for each instrument recorded with the Registrar of Deeds.

D. There is hereby created a fund to be known as the "County Clerk's Records Management and Preservation Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of the fees and monies accruing to the fund, as prescribed in subsection C of this section with all monies accruing to the fund to be expended by the clerk and not transferred to any other fund. The intent of this section is to increase the net funding level available to the county clerk to maintain and preserve public records.

E. The fees and costs prescribed in this section shall not apply to child support enforcement offices operated by or on behalf of the Department of Human Services' Child Support Enforcement

Division. County clerks shall not charge any fees or costs to such offices, the Division, or the Department.

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

Passed the Senate the 4th day of March, 2019.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 9th day of April, 2019.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_