

1 ENGROSSED SENATE  
2 BILL NO. 3

By: Rosino of the Senate

and

Kannady of the House

3  
4  
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 2018, 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 1. AMENDATORY 19 O.S. 2011, Section 245, as  
15 amended by Section 1, Chapter 360, O.S.L. 2013 (19 O.S. Supp. 2018,  
16 Section 245), is amended to read as follows:

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

1 preference of the requestor as provided by the Oklahoma Open Records  
2 Act or the county clerk fee schedule.

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

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

18  
19  
20  
21  
22  
23  
24

1 Passed the Senate the 6th day of March, 2019.

2  
3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2019.

7  
8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives