

An Act

ENROLLED SENATE
BILL NO. 3

By: Rosino of the Senate

and

Kannady of the House

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

SUBJECT: Assessment of certain fees

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

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

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

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

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

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

Presiding Officer of the Senate

Passed the House of Representatives the 8th 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: _____