

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL NO. 3

By: Rosino

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5  
6 AS INTRODUCED

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 2018, 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 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

1 furnish a certified copy in the form as it exists and at the  
2 preference of the requestor as provided by the Oklahoma Open Records  
3 Act or the county clerk fee schedule.

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

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

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