

1 **SENATE FLOOR VERSION**

2 February 16, 2023

3 SENATE BILL NO. 78

By: Newhouse of the Senate

4 and

5 Ford of the House

6
7
8 An Act relating to county clerks; amending 19 O.S.
9 2021, Section 245, which relates to duties as to
10 audited accounts; permitting certified copies to be
11 made in accordance with the Uniform Real Property
12 Electronic Recording Act; allowing fee to be charged
13 for certified records in accordance with certain fee
14 schedule; amending 19 O.S. 2021, Section 285, which
15 relates to register of deeds; allowing exception in
16 accordance with the Uniform Real Property Electronic
17 Recording Act; making language gender neutral; and
18 providing an effective date.

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1 clerk fee schedule, Section 32 of Title 28 of the Oklahoma Statutes,
2 for every page contained in the copy. Upon demand, the clerk shall
3 furnish a certified copy in the form as it exists and at the
4 preference of the requestor as provided by the Oklahoma Open Records
5 Act or the county clerk fee schedule. Certified copies may be
6 provided in paper or digital format in accordance with the Uniform
7 Real Property Electronic Recording Act.

8 B. If the clerk provides records in an electronic format, the
9 clerk may charge a reasonable fee for providing such records. For
10 purposes of this section, "reasonable fee" shall mean the fee
11 charged by the clerk shall not exceed twenty-five cents (\$0.25) per
12 image or fifteen cents (\$0.15) per image for providing more than
13 three thousand five hundred (3,500) images in an electronic format.
14 If the clerk provides certified records, the clerk may charge a fee
15 for the certification in accordance with the current fee schedule
16 found in subsection A of Section 32 of Title 28 of the Oklahoma
17 Statutes. All recording devices for providing records in an
18 electronic format shall be supplied by the county clerk. News media
19 obtaining records in an electronic format for a news purpose and
20 licensed abstractors performing their duties pursuant to state law
21 shall be exempt from the fees provided for in this subsection.
22 Nothing in this section shall be construed to allow county clerks to
23 provide all or part of a tract index for use in any commercial
24 purpose.

1 SECTION 2. AMENDATORY 19 O.S. 2021, Section 285, is
2 amended to read as follows:

3 Section 285. The register of deeds shall keep a seal, to be
4 furnished by the county, which seal shall contain the name of the
5 county, the words "Oklahoma" and ~~"Register of Deeds."~~ He "Register
6 of Deeds". Except as provided in the Uniform Real Property
7 Electronic Recording Act, he or she shall attach such seal to all
8 instruments filed or recorded in his or her office, together with
9 his or her signature and certificate to all certified copies of any
10 instrument on file or of record in his or her office, which he or
11 she is required to issue.

12 SECTION 3. This act shall become effective November 1, 2023.

13 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
14 February 16, 2023 - DO PASS
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