

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 988

By: Reinhardt

AS INTRODUCED

An Act relating to the Uniform Commercial Code; amending 12A O.S. 2021, Sections 1-9-320.2, 1-9-320.3, 1-9-320.4, 1-9-320.6, as amended by Section 1, Chapter 109, O.S.L. 2022, 1-9-322, 1-9-501, and 1-9-710 (12A O.S. Supp. 2024, Section 1-9-320.6), which relate to secured transactions; transferring certain authority from Secretary of State to Oklahoma County Clerk; directing Oklahoma County Clerk to take certain actions; modifying certain filing procedures; amending 28 O.S. 2021, Section 111, as amended by Section 2, Chapter 109, O.S.L. 2022 (28 O.S. Supp. 2024, Section 111), which relates to fees to be charged by Secretary of State; transferring certain fees from Secretary of State to Oklahoma County Clerk; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 12A O.S. 2021, Section 1-9-320.2, is amended to read as follows:

Section 1-9-320.2.

DEFINITIONS; REQUISITES OF AN
EFFECTIVE FINANCING STATEMENT

As used in this section and Sections 1-9-320.1 through 1-9-320.7 of this title:

1 (a) "Buyer in the ordinary course of business" means a
2 person who, in the ordinary course of business, buys
3 farm products from a person engaged in farming
4 operations who is in the business of selling farm
5 products.

6 (b) "Central filing system" means a system for filing
7 effective financing statements on a statewide basis
8 ~~and which has been certified by the Secretary of the~~
9 ~~United States Department of Agriculture.~~

10 (c) "Commission merchant" means any person engaged in the
11 business of receiving any farm product for sale, on
12 commission, or for or on behalf of another person.

13 (d) "Effective financing statement" means a statement
14 that:

15 (i) is an original or reproduced form consistent with
16 the provisions of this act and approved by the
17 ~~Secretary of State~~ Oklahoma County Clerk;

18 (ii) is signed and filed with the ~~Secretary of State~~
19 Oklahoma County Clerk by the secured party;

20 (iii) ~~is signed by the debtor;~~

21 ~~(iv)~~ contains:

22 (A) the name and address of the secured party,

23 (B) the name and address of the person indebted
24 to the secured party,

1 (C) the social security number of the debtor or,
2 in the case of a debtor doing business other
3 than as an individual, the Internal Revenue
4 Service taxpayer identification number of
5 such debtor,

6 (D) the farm product name,

7 (E) each county in this state where the farm
8 product is produced or to be produced or a
9 blanket code covering all 77 Oklahoma
10 counties,

11 (F) a description of the farm products subject
12 to the security interest only if needed to
13 distinguish it from other such farm products
14 owned by the same person or persons but not
15 subject to the particular interest; and

16 (G) the crop year, unless every crop of the farm
17 product in question, for the duration of the
18 effective financing statement, is to be
19 subject to the particular security interest.

20 ~~(v)~~ (iv) must be amended in writing, within three
21 (3) months, similarly signed and filed, to
22 reflect material changes;

23 ~~(vi)~~ (v) remains effective for a period of five (5)
24 years from the date of filing, subject to
25

1 extensions for additional periods of five (5)
2 years each by refileing or filing a continuation
3 statement within six (6) months before the
4 expiration of the initial five-year period;

5 ~~(vii)~~ (vi) is not removed from the public database but
6 is not reported as an active files file when the
7 statement lapses on the expiration of the
8 effective period of the statement or when a
9 termination statement from the secured party is
10 accepted, whichever occurs first;

11 ~~(viii)~~ (vii) is accompanied by the requisite filing fee
12 provided for in Section 111 of Title 28 of the
13 Oklahoma Statutes; and

14 ~~(ix)~~ (viii) substantially complies with the
15 requirements of this paragraph even though it
16 contains minor errors that are not seriously
17 misleading.

18 ~~(x)~~ (ix) may reflect multiple products or products
19 in multiple counties.

20 (e) "Farm product" means an agricultural commodity such as
21 wheat, corn, soybeans, or a species of livestock such
22 as cattle, hogs, sheep, horses, or poultry used or
23 produced in farming operations, or a product of such
24 crop or livestock in its unmanufactured state (such as

1 ginned cotton, wool-clip, maple syrup, milk, and
2 eggs), that is in the possession of a person engaged
3 in farming operations.

4 (f) "Knows" or "knowledge" means actual knowledge.

5 (g) "Person" means any individual, partnership,
6 corporation, limited liability company, trust, or any
7 other business entity.

8 (h) "Security interest" means an interest in farm products
9 that secures payment or performance of an obligation.

10 (i) "Selling agent" means any person, other than a
11 commission merchant, who is engaged in the business of
12 negotiating the sale and purchase of any farm product
13 on behalf of a person engaged in farming operations.

14 ~~(2)~~ Unless otherwise provided for in this act, for purposes of
15 this section and Sections 4 and 6 of this act, receipt of notice
16 shall be presumed if notice is sent by first-class mail, postage
17 prepaid.

18 SECTION 2. AMENDATORY 12A O.S. 2021, Section 1-9-320.3,
19 is amended to read as follows:

20 Section 1-9-320.3.

21 FORMS; DUTY OF SECRETARY OF STATE

22 The ~~Secretary of State~~ Oklahoma County Clerk shall develop and
23 maintain a standard form for an effective financing statement and
24 for a statement of continuation, partial release, amendment, or
25

1 assignment thereof, which shall be consistent with the provisions of
2 Sections 1-9-320.1 through 1-9-320.7 of this title.

3 SECTION 3. AMENDATORY 12A O.S. 2021, Section 1-9-320.4,
4 is amended to read as follows:

5 Section 1-9-320.4.

6 PROTECTION OF BUYERS OF FARM PRODUCTS,
7 COMMISSION MERCHANTS AND SELLING AGENTS

8 A buyer of farm products, commission merchant, or selling agent
9 who purchases or sells farm products in the ordinary course of
10 business from or for a person engaged in farming operations takes
11 subject to a security interest in the farm products if:

- 12 (a) (i) the buyer of the farm products, commission merchant,
13 or selling agent has failed to register with the
14 ~~Secretary of State~~ Oklahoma County Clerk prior to the
15 purchase of the farm products and the secured party
16 has filed an effective financing statement that covers
17 the farm products being sold; or
- 18 (ii) the buyer of farm products, commission merchant or
19 selling agent receives from the ~~Secretary of State~~
20 Oklahoma County Clerk written notice as provided in
21 paragraph (d) or (f) of subsection (4) of Section 1-9-
22 320.6 of this title, and the buyer of farm products,
23 commission merchant or selling agent does not secure a
24 waiver or release of the security interest specified

1 in an effective financing statement from the secured
2 party by performing any payment obligation or
3 otherwise; or

4 (b) the secured party or the seller provides written notice of
5 the security interest pursuant to the provisions of Section
6 1-9-320.7 of this title.

7 SECTION 4. AMENDATORY 12A O.S. 2021, Section 1-9-320.6,
8 as amended by Section 1, Chapter 109, O.S.L. 2022 (12A O.S. Supp.
9 2024, Section 1-9-320.6), is amended to read as follows:

10 Section 1-9-320.6.

11 CENTRAL FILING SYSTEM RELATING TO FARM PRODUCTS

12 (1) The ~~Secretary of State~~ Oklahoma County Clerk shall be
13 responsible for developing and ~~implementing~~ maintaining the central
14 filing system. ~~This responsibility shall include obtaining the~~
15 ~~necessary certification for the system from the United States~~
16 ~~Department of Agriculture ("USDA").~~ The effective date for the
17 implementation of the central filing system ~~was October 24, 1988~~
18 shall be October 1, 2025.

19 (2) The ~~Secretary of State~~ Oklahoma County Clerk may
20 promulgate, in accordance with ~~the applicable provisions of the~~
21 ~~Administrative Procedures Act,~~ laws governing business within its
22 office, appropriate rules and practices of the filing office in
23 harmony with the rules and practices of filing offices in other
24 jurisdictions that enact substantially this part and to keep the

1 technology used by the filing office compatible with the technology
2 used by filing offices in other jurisdictions that enact
3 substantially this part. The Oklahoma County Clerk, so far as is
4 consistent with the purposes, policies, and provisions of this
5 article in adopting, amending, and repealing filing office rules,
6 shall:

7 (a) consult with filing offices in other jurisdictions
8 that enact substantially this part,

9 (b) consult the International Association of Commercial
10 Administrators or any successor organization, and

11 (c) take into consideration the rules and practices of,
12 and the technology used by, filing offices in other
13 jurisdictions that enact substantially this part, for
14 the implementation and operation of the central filing
15 system.

16 (3) ~~The Office of Management and Enterprise Services shall~~
17 ~~assist the Secretary of State in developing and implementing the~~
18 ~~central filing system.~~

19 ~~(4)~~ The central filing system shall conform to the following
20 requirements:

21 (a) ~~The Secretary of State~~ Oklahoma County Clerk shall
22 record the date ~~and,~~ hour, minute, and second of the
23 filing of each effective financing statement;

1 (b) The ~~Secretary of State~~ Oklahoma County Clerk shall
2 compile all effective financing statements into a
3 master list:

4 (i) organized according to farm products;

5 (ii) arranged within each such product:

6 (A) in alphabetical order according to the last
7 name of the individual debtors or, in the
8 case of debtors doing business other than as
9 individuals, the first word in the name of
10 the debtors;

11 (B) in numerical order according to the Social
12 Security number of the individual debtors
13 or, in the case of debtors doing business
14 other than as individuals, the Internal
15 Revenue Service taxpayer identification
16 number of the debtors;

17 (C) geographically by county produced; and

18 (D) by crop year; and

19 (iii) containing the information provided for in
20 subparagraph (iv) of paragraph (d) of Section 1-
21 9-320.2 of this title;

22 ~~(iv) portions of the master list shall be available in~~
23 ~~hard copy, electronic formats, or via Internet~~

1 ~~download, and may be organized by other sorting~~
2 ~~methods in addition to the methods listed above.~~

3 (c) The Secretary of State shall maintain records of all
4 buyers of farm products, commission merchants, selling
5 agents and others who register with the Secretary of
6 State, on a form containing:

7 (i) the name and address of each registrant;

8 (ii) the information on the farm product or products
9 that the registrant is requesting;

10 (iii) the name of each county where the product is
11 produced or to be produced, or a blanket code
12 covering all seventy-seven (77) counties of this
13 state; and

14 (iv) an authorized signature.

15 (d) (i) A copy of those portions of the master list
16 covering the information requested by a
17 registrant shall be distributed to such
18 registrants by the Secretary of State on or
19 before the last business day of each month and
20 shall be presumed to have been received by the
21 third business day of the following month.

22 (ii) Registrants shall be deemed to be registered only
23 as to those portions of the master list for which
24 they register, and shall be deemed to have failed

1 to register and shall not be considered to be
2 registrants as to those portions for which they
3 do not register.

4 (iii) Registrants are subject only to security
5 interests shown on the portions of the master
6 list which they receive as a consequence of
7 registration with the Secretary of State.

8 (iv) If a particular security interest is shown on the
9 master list, but was included since the last
10 regular distribution of portions of the master
11 list to registrants, registrants shall not be
12 subject to that security interest;

13 (e) The duration of the registration with the Secretary of
14 State of a buyer of farm products, commission
15 merchant, selling agent or other registrant shall be
16 one (1) year from the effective date of the
17 registration with the Secretary of State.

18 (f) (i) Upon request, within twenty-four (24) hours of
19 any inquiry, for information, the ~~Secretary of~~
20 ~~State~~ Oklahoma County Clerk shall provide verbal
21 confirmation of the existence or nonexistence of
22 any effective financing statement on file. By
23 the close of the business day following the day
24 on which the request was received, written

1 confirmation of the existence of an effective
2 financing statement will be provided to buyers of
3 farm products, commission merchants, and selling
4 agents who have not registered, and others who
5 request it.

6 (ii) The state or political subdivision shall not be
7 liable if a loss or claim results from any
8 confirmation of the existence or nonexistence of
9 any effective financing statement on file in the
10 ~~Office of the Secretary of State~~ Oklahoma County
11 Clerk's office made in good faith by an employee
12 of the ~~Office of the Secretary of State~~ Oklahoma
13 County Clerk's office as required by the
14 provisions of this section.

15 ~~(5)~~ (4) The filing in the office of the ~~Secretary of State~~
16 Oklahoma County Clerk under this section shall be in addition to the
17 filing requirements provided for in this article.

18 ~~(6)~~ (5) A financing or continuation statement covering farm
19 products that has not lapsed and which was filed pursuant to this
20 title between December 23, 1986, and October 24, 1988, inclusive,
21 and for which no written notice was furnished as provided in Section
22 1-9-320.7 of this title, shall become ineffective as to a buyer of
23 farm products, commission merchant or selling agent, unless the
24

1 secured party files an effective financing statement in the office
2 of the ~~Secretary of State~~ Oklahoma County Clerk.

3 ~~(7)~~ (6) An effective financing statement shall not be deemed
4 filed in accordance with the provisions of this section until all
5 fees authorized by Section 111 of Title 28 of the Oklahoma Statutes
6 relating to the filing of the statement are tendered to the
7 ~~Secretary of State~~ Oklahoma County Clerk.

8 ~~(8)~~ (7) The secured party shall file a termination statement
9 within twenty (20) days after there is no outstanding secured
10 obligation or commitment to make advances, incur obligations or
11 otherwise give value. The termination statement shall refer to the
12 unique document ID number. The secured party shall not be required
13 to file a termination statement if the debtor, in writing, addressed
14 to the secured party, requests that a termination not be filed. The
15 request shall be signed by the debtor or an authorized
16 representative and the request may be made at any time prior to the
17 expiration date of an effective financing statement set forth
18 herein. If the affected secured party fails to file a termination
19 statement as required by this subsection, the party shall be liable
20 to the ~~Secretary of State~~ Oklahoma County Clerk for Five Hundred
21 Dollars (\$500.00). In addition the affected secured party shall be
22 liable to the debtor for any loss caused to the debtor by the
23 failure to terminate the effective financing statement.

1 ~~(9)~~ (8) The ~~Attorney General~~ Oklahoma County District Attorney
2 shall be responsible for enforcing the provisions of subsection ~~(8)~~
3 (7) of this section on behalf of the ~~Secretary of State~~ Oklahoma
4 County Clerk and is authorized to take appropriate actions to
5 collect any penalties owed to the ~~Secretary of State~~ Oklahoma County
6 Clerk pursuant to subsection ~~(8)~~ (7) of this section. When
7 collected, the Oklahoma County District Attorney ~~General~~ shall cause
8 the penalty to be deposited into the ~~Central Filing System Revolving~~
9 ~~Fund~~ Oklahoma County Clerk's Uniform Commercial Code Central Filing
10 Fund created pursuant to ~~Section 276.3 of Title 62 of the Oklahoma~~
11 ~~Statutes~~ Section 1-9-525.1 of Title 12A of the Oklahoma Statutes.

12 (9) As the purpose of an effective financing statement filing
13 is to ensure that a joint check is made payable to the debtor and
14 all applicable secured parties, there shall be no priority among
15 filings. Filings shall be processed according to the order in which
16 they were filed, as recorded in a timestamp within the filing.

17 (10) All active filings on the effective date of this act, as
18 provided in paragraph (1) of this section, shall be filed with the
19 Oklahoma County Clerk's office. Each active filing that is filed
20 pursuant to the requirements of this paragraph shall be accompanied
21 with a transition document that shall be provided by the Oklahoma
22 County Clerk's office. The Oklahoma County Clerk's office shall
23 charge no fee for active filings that are migrated to the system
24 maintained by the Oklahoma County Clerk.

1 SECTION 5. AMENDATORY 12A O.S. 2021, Section 1-9-322, is
2 amended to read as follows:

3 Section 1-9-322.

4 PRIORITIES AMONG CONFLICTING SECURITY INTERESTS
5 IN AND AGRICULTURAL LIENS ON SAME COLLATERAL

6 (a) Except as otherwise provided in this section, priority
7 among conflicting security interests and agricultural liens in the
8 same collateral is determined according to the following rules:

9 (1) Conflicting perfected security interests and agricultural
10 liens rank according to priority in time of filing or perfection.
11 Priority dates from the earlier of the time a filing covering the
12 collateral is first made or the security interest or agricultural
13 lien is first perfected, if there is no period thereafter when there
14 is neither filing nor perfection;

15 (2) A perfected security interest or agricultural lien has
16 priority over a conflicting unperfected security interest or
17 agricultural lien; and

18 (3) The first security interest or agricultural lien to attach
19 or become effective has priority if an effective financing statement
20 has been filed with the Oklahoma County Clerk's office, conflicting
21 security interests and agricultural liens are unperfected.

22 (b) For the purposes of paragraph (1) of subsection (a) of this
23 section:

1 (1) The time of filing by the Oklahoma County Clerk's office or
2 perfection as to a security interest in collateral is also the time
3 of filing by the Oklahoma County Clerk's office or perfection as to
4 a security interest in proceeds; and

5 (2) The time of filing or perfection as to a security interest
6 in collateral supported by a supporting obligation is also the time
7 of filing or perfection as to a security interest in the supporting
8 obligation.

9 (c) Except as otherwise provided in subsection (f) of this
10 section, a security interest in collateral which qualifies for
11 priority over a conflicting security interest under Sections 1-9-
12 327, 1-9-328, 1-9-329, 1-9-330, or 1-9-331 of this title also has
13 priority over a conflicting security interest in:

14 (1) Any supporting obligation for the collateral; and

15 (2) Proceeds of the collateral if:

16 (A) the security interest in proceeds is perfected;

17 (B) the proceeds are cash proceeds or of the same type as
18 the collateral; and

19 (C) in the case of proceeds that are proceeds of proceeds,
20 all intervening proceeds are cash proceeds, proceeds
21 of the same type as the collateral, or an account
22 relating to the collateral.

23 (d) Subject to subsection (e) of this section and except as
24 otherwise provided in subsection (f) of this section, if a security

1 interest in chattel paper, deposit accounts, negotiable documents,
2 instruments, investment property, or letter-of-credit rights is
3 perfected by a method other than filing, conflicting perfected
4 security interests in proceeds of the collateral rank according to
5 priority in time of filing.

6 (e) Subsection (d) of this section applies only if the proceeds
7 of the collateral are not cash proceeds, chattel paper, negotiable
8 documents, instruments, investment property, or letter-of-credit
9 rights.

10 (f) Subsections (a) through (e) of this section are subject to:

11 (1) subsection (g) of this section and the other provisions of
12 this part;

13 (2) Section 4-210 of this title with respect to a security
14 interest of a collecting bank;

15 (3) Section 5-118 of this title with respect to a security
16 interest of an issuer or nominated person; and

17 (4) Section 1-9-110 of this title with respect to a security
18 interest arising under Article 2 or 2A of this title.

19 (g) A perfected agricultural lien on collateral has priority
20 over a conflicting security interest in or agricultural lien on the
21 same collateral if the statute creating the agricultural lien so
22 provides.

23 SECTION 6. AMENDATORY 12A O.S. 2021, Section 1-9-501, is
24 amended to read as follows:

1 Section 1-9-501.

2 FILING OFFICE

3 (a) Except as otherwise provided in subsection (b) of this
4 section, if the local law of this state governs perfection of a
5 security interest or agricultural lien, the office in which to file
6 a financing statement to perfect the security interest or
7 agricultural lien is:

8 (1) the office designated for the filing or recording of a
9 record of a mortgage on the related real property, if:

10 (A) the collateral is as-extracted collateral or timber to
11 be cut; or

12 (B) the financing statement is filed as a fixture filing
13 and the collateral is goods that are or are to become
14 fixtures; or

15 (2) the office of the county clerk of Oklahoma County, in all
16 other cases, including a case in which the collateral is goods that
17 are or are to become fixtures and the financing statement is not
18 filed as a fixture filing.

19 (b) The office in which to file a financing statement to
20 perfect a security interest in collateral, including fixtures, of a
21 transmitting utility is the office of the ~~Secretary of State~~
22 ~~pursuant to Sections 17 and 18 of Title 46 of the Oklahoma Statutes~~
23 Oklahoma County Clerk. The financing statement also constitutes a
24

1 fixture filing as to the collateral indicated in the financing
2 statement which is or is to become fixtures.

3 SECTION 7. AMENDATORY 12A O.S. 2021, Section 1-9-710, is
4 amended to read as follows:

5 Section 1-9-710. (a) In this section:

6 (1) "Local-filing office" means a filing office, other than the
7 statewide filing office in the office of the County Clerk of
8 Oklahoma County ~~or the statewide filing office in the office of the~~
9 ~~Secretary of State~~, that is designated as the proper place to file a
10 financing statement under former Article 9 of this title;

11 (2) (A) "Former-Article 9 records" means:

12 (i) financing statements and other records that have
13 been filed in a local-filing office before July
14 1, 2001, and that are, or upon processing and
15 indexing will be, reflected in the index
16 maintained by the local-filing office for filing
17 for financing statements and other records filed
18 in the local-filing office before July 1, 2001,
19 and

20 (ii) the index maintained by the local-filing office
21 as of June 30, 2001, including entries for
22 filings completed before July 1, 2001, even
23 though processed on or after that date.

1 (B) "Former-Article 9 records" do not include records
2 presented to a local-filing office for filing after
3 June 30, 2001, whether or not the records relate to
4 financing statements filed in the local-filing office
5 before July 1, 2001; and

6 (3) "Mortgage", "as-extracted collateral", "fixture filing",
7 "goods" and "fixtures" have the meanings set forth in this article
8 of this title.

9 (b) A local-filing office shall not accept for filing a record
10 presented after June 30, 2001, whether or not the record relates to
11 a financing statement filed in the local-filing office before July
12 1, 2001.

13 (c) Until July 1, 2008, each local-filing office shall maintain
14 all former-Article 9 records in accordance with former-Article 9. A
15 former-Article 9 record which is filed before July 1, 2001, but
16 which is not reflected on the index maintained as of June 30, 2001,
17 by the local-filing office, shall be processed and indexed and
18 reflected on the index maintained as of June 30, 2001, as soon as
19 practicable, but in no event later than July 30, 2001.

20 (d) Until July 1, 2008, each local-filing office shall respond
21 to requests for information with respect to former-Article 9 records
22 relating to a debtor and shall issue certificates in accordance with
23 former-Article 9. The fees for issuing a certificate or for
24 furnishing a certified copy of a former-Article 9 record shall be

1 the uniform fees provided by subsections (c) and (d) of Section 1-9-
2 525 of this title.

3 (e) After June 30, 2008, each local-filing office may remove
4 and destroy all former-Article 9 records pursuant to Section 155.2
5 of Title 19 of the Oklahoma Statutes.

6 (f) This section shall not apply, with respect to financing
7 statements and other records, to a filing office in which mortgages
8 or records of mortgages on real property are required to be filed or
9 recorded if:

10 (1) the collateral is timber to be cut or as-extracted
11 collateral, or

12 (2) the record is or relates to a financing statement files as
13 a fixture filing and the collateral is goods that are or are to
14 become fixtures.

15 SECTION 8. AMENDATORY 28 O.S. 2021, Section 111, as
16 amended by Section 2, Chapter 109, O.S.L. 2022 (28 O.S. Supp. 2024,
17 Section 111), is amended to read as follows:

18 Section 111. A. In addition to other fees provided for by law,
19 the ~~Secretary of State~~ Oklahoma County Clerk shall collect the
20 following fees:

21 1. For affixing the ~~certificate stamp~~ of the ~~Secretary of State~~
22 Oklahoma County Clerk and the seal of ~~the State of Oklahoma~~ Oklahoma
23 County, Ten Dollars (\$10.00);

1 2. For copying any paper or document, One Dollar (\$1.00) per
2 page, provided the minimum charge shall not be less than Two Dollars
3 (\$2.00);

4 3. For filing an effective financing statement in the ~~Office of~~
5 ~~the Secretary of State~~ Oklahoma County Clerk's office pursuant to
6 Section 1-9-320.6 of Title 12A of the Oklahoma Statutes, Ten Dollars
7 (\$10.00);

8 4. For filing a continuation statement, partial release,
9 assignment of or amendment to an effective financing statement filed
10 in the ~~Office of the Secretary of State~~ Oklahoma County Clerk's
11 office pursuant to Section 1-9-320.6 of Title 12A of the Oklahoma
12 Statutes, Ten Dollars (\$10.00);

13 5. For filing a termination statement for an effective
14 financing statement filed in the ~~Office of the Secretary of State~~
15 Oklahoma County Clerk's office pursuant to Section 1-9-320.6 of
16 Title 12A of the Oklahoma Statutes, Ten Dollars (\$10.00);

17 6. For registering a buyer of farm products, commission
18 merchant, selling agent or other interested party as provided for in
19 Section 1-9-320.6 of Title 12A of the Oklahoma Statutes, Fifty
20 Dollars (\$50.00) per year. The registration fee provided for in
21 this paragraph shall not apply if the buyer of farm products,
22 commission merchant, selling agent, or other interested party as
23 provided for in Section 1-9-320.6 of Title 12A of the Oklahoma
24 Statutes accesses the master list through Internet download;

1 7. For distributing a copy of the master list or portions
2 thereof to registrants, as provided for in Section 1-9-320.6 of
3 Title 12A of the Oklahoma Statutes, in accordance with the following
4 fee schedule. Such fees may be paid annually or semiannually:

5 a. For information requested for five or less counties:

| | Number of Farm | |
|----|-----------------------------|----------------|
| | Products | Paper |
| 6 | | |
| 7 | | |
| 8 | (1) 1 to 5 products | \$150 per year |
| 9 | (2) 6 to 10 products | \$200 per year |
| 10 | (3) 11 to 20 products | \$250 per year |
| 11 | (4) over 20 products | \$300 per year |

12 b. For information requested for six to twenty-five
13 counties:

| | Number of Farm | |
|----|-----------------------------|----------------|
| | Products | Paper |
| 14 | | |
| 15 | | |
| 16 | (1) 1 to 10 products | \$200 per year |
| 17 | (2) 11 to 20 products | \$250 per year |
| 18 | (3) over 20 products | \$300 per year |

19 c. For information requested for twenty-six to fifty
20 counties:

| | Number of Farm | |
|----|-----------------------------|----------------|
| | Products | Paper |
| 21 | | |
| 22 | | |
| 23 | (1) 1 to 10 products | \$250 per year |
| 24 | (2) 11 to 20 products | \$300 per year |

1 (3) over 20 products\$350 per year

2 d. For information requested for over fifty counties:

3 Number of Farm

4 Products

Paper

5 (1) 1 to 10 products\$300 per year

6 (2) 11 to 20 products\$350 per year

7 (3) over 20 products\$400 per year;

8 8. a. The Secretary of State is authorized to provide for
9 the distribution of the master list or portions
10 thereof to those persons specified in paragraph 7 of
11 this subsection through Internet download, electronic
12 data equipment, or other communication media in such
13 form and manner as is specified by the Secretary of
14 State. The Secretary of State shall not collect a fee
15 for distribution of the master list or portions
16 thereof through Internet download.

17 b. The ~~Secretary of State~~ Oklahoma County Clerk is
18 authorized to establish a fee system for such transfer
19 of information pursuant to this paragraph. Such fee
20 shall not exceed the amount necessary to cover the
21 costs of the ~~Secretary of State~~ Oklahoma County Clerk
22 in providing such transfer of information.

23 c. In providing for the transfer of the information
24 specified by this paragraph, the ~~Secretary of State~~

1 Oklahoma County Clerk shall ensure the integrity of
2 confidential information within the ~~Office of the~~
3 ~~Secretary of State~~ Oklahoma County Clerk's office
4 through data security measures, internal controls and
5 appropriate data base management;

6 9. For issuing a written confirmation of the existence or
7 nonexistence of active effective financing statements on file for a
8 debtor in the ~~Office of the Secretary of State~~ Oklahoma County
9 Clerk's office, Six Dollars (\$6.00);

10 10. The Secretary of State shall collect a fee of Twenty-five
11 Dollars (\$25.00) for every apostille issued. For the purposes of
12 this paragraph, an apostille is a special certificate attached to a
13 public record, as required by the 1961 Hague Convention, Fed. R.
14 Civ. P. 44 (28 U.S.C.A.), to certify the authenticity of the
15 signature, the capacity in which the person signing the document has
16 acted and, where appropriate, the identity of the seal or stamp
17 which it bears; provided, however, a fee of Ten Dollars (\$10.00)
18 shall be collected for any apostille requested for an international
19 adoption not to exceed One Hundred Dollars (\$100.00) for the
20 adoption of each child; and

21 11. For each service rendered and not specified in this
22 section, such fees as are allowed for similar services in other
23 cases.

1 B. All fees shall be properly accounted for and shall be paid
2 ~~into~~ to the State Treasury Oklahoma County Clerk monthly. The fees
3 generated by paragraphs ~~1, 2, 10 and 11~~ through 5 and 9 of
4 subsection A of this section shall be deposited to the credit of the
5 ~~Revolving Fund for the Office of the Secretary of State Oklahoma~~
6 County Clerk's Uniform Commercial Code Central Filing Fund created
7 pursuant to ~~Section 276.1 of Title 62 of the Oklahoma Statutes~~
8 Section 1-9-525.1 of Title 12A of the Oklahoma Statutes. The fees
9 generated by paragraphs ~~3 6~~ through 9 8 and 10 of subsection A of
10 this section and other fees collected by the central filing system
11 shall be deposited to the credit of the ~~Central Filing System~~
12 Revolving Fund Oklahoma County Clerk's Uniform Commercial Code
13 Central Filing Fund created pursuant to ~~Section 276.3 of Title 62 of~~
14 ~~the Oklahoma Statutes~~ Section 1-9-525.1 of Title 12A of the Oklahoma
15 Statutes.

16 SECTION 9. This act shall become effective July 1, 2025.

17 SECTION 10. It being immediately necessary for the preservation
18 of the public peace, health or safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

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