

ENGROSSED SENATE
BILL NO. 180

BY: WEEDN of the SENATE

and

BATES of the HOUSE

AN ACT RELATING TO COUNTIES AND COUNTY OFFICERS;
AMENDING 19 O.S. 1981, SECTION 155.2, WHICH RELATES
TO DESTRUCTION OF RECORDS IN COUNTY CLERK'S OFFICE;
PROVIDING FOR DESTRUCTION OF CERTAIN RECORDS WITHIN
CERTAIN TIME PERIODS; PROVIDING PROCEDURES FOR
DESTRUCTION OF CERTAIN ORIGINAL RECORDS; REQUIRING
AUDIT OF RECORDS BY STATE AUDITOR AND INSPECTOR
BEFORE DESTRUCTION; REQUIRING RETENTION OF FILMED
RECORDS FOR CERTAIN TIME PERIOD; PROVIDING FOR
CODIFICATION; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 19 O.S. 1981, Section 155.2, is amended to read as follows:

Section 155.2 The county clerk in each county in Oklahoma is hereby authorized each year to destroy the following workbooks, reports and transient and subsidiary records that have been on file or stored in his or her office the period of time specifically provided herein.

~~He may destroy all financing statements and chattel mortgages and releases and renewals thereof of either, on file in his office~~

~~for a period longer than five (5) years after the same ceases to be effective under 12A O.S. 1971, Section 9-403 (2) and (3); all county claims, claim calendars, chattel mortgage indexes, appropriation ledgers, warrant ledgers, financial ledgers, requisitions, poor lists and orders for allowances in relief of the poor, certificates of error, carbon copies of reports and remittances, monthly reports to State Auditor and Inspector and reports to other officers and warrant issues, daily reports including the daily report jacket and all contents therein, after said documents have been on file in his office five (5) years; provided, however, unused blank forms printed for fiscal year series and blank forms obsolete by change of law may be destroyed after being on file for a period longer than one (1) year.~~

1. After the expiration of one (1) year:

- a. unused blank forms printed for fiscal year series, and
- b. blank forms obsolete by change of law;

2. After the expiration of five (5) years:

- a. financing statements, chattel mortgages or bills of sale, releases and renewals thereof of either on file, after the same ceases to be effective under Section 9-403 of Title 12 of the Oklahoma Statutes,
- b. all county claims, claim calendars,
- c. chattel mortgage indexes,
- d. appropriation ledgers, warrant ledgers, financial ledgers,
- e. requisitions,
- f. upon retirement, discharge, or termination of employment, loyalty oath of said employee or officer,
- g. certificates of error,
- h. copies of reports and remittances, deposits and receipts,

- i. monthly reports to the State Auditor and Inspector and reports to other officers and warrant issues,
- j. daily reports including daily report jacket and all contents therein,
- k. physician liens, insurance agent's liens,
- l. reports, checks, purchase orders and other bookkeeping records,
- m. all tax protests, evidences, letters of orders of the board, letters of increased assessment, correspondence, reports, docket books, lists of parcels under protest, agendas, and
- n. records pertaining to the Open Meetings Act and Open Records Act;

3. After the expiration of seven (7) years after the final settlement following appeal to district court, all tax protest records;

4. After the expiration of seven (7) years, balance sheets, deposit slips, tax records, W-2's and investment authorization slips for the retirement system; and

5. After the expiration of ten (10) years:

- a. all tax rolls and tax roll adjustments, and
- b. all special assessment rolls.

The State Library may be given any ~~of such~~ records that would otherwise be destroyed.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 155.2A of Title 19, unless there is created a duplication in numbering, reads as follows:

A. As to the records that are not destroyed as provided for in Title 19 of the Oklahoma Statutes, the county clerk in each county in the State of Oklahoma, after complying with the provisions of all state statutes governing the copying of records, storing original negatives, and providing for convenient viewing of reproductions

thereof, is hereby authorized to destroy the workbooks, reports and records that have been on file or stored in his or her office for a period of time longer than the period specifically indicated, as follows:

TYPE OF RECORD	REQUISITE TIME OF RETAINING ORIGINAL
Tax Protest Records	Until final settlement
Tax Rolls and Tax Roll Adjustments	6 years
Special Assessment Rolls	6 years after due date
Miscellaneous Doctor's Certificates	5 years
Applications for Tax Deeds	5 years
Sheriff's Deputy Commission	5 years
Resolution for Cities and Towns and Ordinances	5 years
Interlocal Co-op Agreements	5 years
State Tax Liens	5 years after release, lapse, or discharge
Federal Tax Liens	5 years after release, lapse, or discharge

B. All records which have been on file in his or her office may be destroyed after two (2) years provided the same are filmed, or copied by any other method allowed by law, and the State Auditor and Inspector has audited said records and has not directed such original records to be retained. Such filmed records shall be retained for the same period of time as required of the original, if it had been retained. Arrangements shall be made to allow public access to said records.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 5th day of March, 1991.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1991.

Speaker of the House of Representatives