STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2723 By: Settle

AS INTRODUCED

An Act relating to fees; amending 28 O.S. 1991, Section 32, as last amended by Section 3, Chapter 233, O.S.L. 1997 (28 O.S. Supp. 1997, Section 32), which relates to county clerk fees; increasing amount to be deposited into County Clerk's Lien Fee Account; and providing an effective date.

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

SECTION 1. AMENDATORY 28 O.S. 1991, Section 32, as last amended by Section 3, Chapter 233, O.S.L. 1997 (28 O.S. Supp. 1997, Section 32), is amended to read as follows:

Section 32. A. Notwithstanding any other provision of law county clerks shall charge and collect the following flat fees to be uniform throughout the state regardless of the recording method used, and the county clerks shall not be required to itemize or charge these fees pursuant to any other schedule, except as specifically provided by law:

1. For recording the first page of deeds, mortgages and any other instruments $8.00
2. For recording each additional page of same instrument $2.00

3. For furnishing hard copies of microfilmed records to bonded abstractors only, per page $1.00

4. For furnishing photographic copies of photographic records, or of typewritten script or printed records, per page $1.00

5. For recording plat of one block or less $10.00

6. For recording plat of more than one block .. $25.00

7. For certifying to any copy per page $1.00

8. For recording an assignment of Tax Sale Certificate to be paid by the party purchasing $5.00

9. For recording of any mark or brand and giving certificate for same $5.00

10. For recording each certificate for estrays and forwarding description of same, as required by law $1.00

11. a. For recording and filing of mechanics' or materialmen's liens which includes the release thereof $10.00

    b. For preparing and mailing notice of mechanics' or materialmen's lien $8.00

    c. For each additional page or exhibit $2.00

12. For recording and filing of fictitious name partnership certificates $5.00

    To this fee shall be added the fees required by Sections 81 through 86 of Title 54 of the Oklahoma Statutes.

13. For filing and indexing an original financing statement or a continuation statement and for filing a termination statement and a statement of release therefor $10.00

    (Section 9-403 of Title 12A)

14. For a filing pursuant to Section 6-209 of Title 12A of the Oklahoma Statutes $10.00

15. For recording the first page of deeds, mortgages, and any other instruments which are nonconforming pursuant to

subsection C of Section 298 of Title 19 of the Oklahoma Statutes:

a. before January 1, 1998 ..... $8.00

b. beginning January 1, 1998 ..... $25.00

16. For recording each additional page of an instrument which is nonconforming pursuant to subsection C of Section 298 of Title 19 of the Oklahoma Statutes:

a. before January 1, 1998 ..... $2.00

b. beginning January 1, 1998 ..... $10.00

B. The fees prescribed in paragraph 4 of subsection A of this section shall be deposited into the County Clerk's Lien Fee Account, created pursuant to Section 265 of Title 19 of the Oklahoma Statutes in an amount not to exceed ~~Ten Thousand Dollars ($10,000.00)~~ Twenty Thousand Dollars ($20,000.00) each fiscal year.

SECTION 2. This act shall become effective November 1, 1998.

46-2-8849 JAF