

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL 805

By: Henry of the Senate

and

Toure of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to county fees; amending 20 O.S. 1991, Section 1301, as amended by Section 2, Chapter 227, O.S.L. 1993 (20 O.S. Supp. 1999, Section 1301), which relates to the court fund in each county treasury; directing portion of fees collected for public bodies to be deposited in the Court Clerk's Revolving Fund for cost of collection and administration; requiring quarterly report; requiring State Auditor and Inspector to prescribe form; providing an effective date; amending Section 103 of Enrolled Senate Bill No. 1519 of the 2nd Session of the 47th Oklahoma Legislature, which relates to fees of filing office and county clerks; reducing fees for certain filings; providing effective dates; and declaring an emergency.

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

SECTION 1. AMENDATORY 20 O.S. 1991, Section 1301, as amended by Section 2, Chapter 227, O.S.L. 1993 (20 O.S. Supp. 1999, Section 1301), is amended to read as follows:

Section 1301. A. All fees, fines, costs and forfeitures shall, when collected by the court clerk, be deposited in a fund in the county treasury designated "The Court Fund", and shall be used, from year to year, in defraying the expenses of holding court in said county. The county treasurer shall act as an agent of the state in the care and handling of the Court Fund, but the treasurer's bond shall cover the treasurer's obligations in regard to this fund.

B. Notwithstanding any other provision of law, ten percent (10%) of all fees collected by the Court Clerk for a public body, as defined in paragraph 1 of Section 304 of Title 25 of the Oklahoma

Statutes, which are not deposited in the Court Fund shall be deposited in the Court Clerk's Revolving Fund to cover the cost of collection and administration. The Court Clerk shall report quarterly the amount deposited pursuant to this subsection to the Administrative Office of the Courts on a form prescribed by the State Auditor and Inspector.

SECTION 2. AMENDATORY Section 103 of Enrolled Senate Bill No. 1519 of the 2nd Session of the 47th Oklahoma Legislature is amended to read as follows:

Section 103.

FEEES

(a) Except as otherwise provided in subsection (e) of this section, the fee for filing and indexing a record under this part, other than an initial financing statement of the kind described in subsection (c) of Section 1-9-502 of this title, is:

(1) Ten Dollars (\$10.00) if the record is communicated in writing ~~and consists of one to five pages, and an additional One Dollar (\$1.00) per page for each page exceeding five;~~ and

(2) Ten Dollars (\$10.00) if the record is communicated by an electronic medium authorized by filing-office rule.

(b) The number of names required to be indexed does not affect the amount of the fee in subsection (a) of this section.

(c) The fee for responding to a request for information from the filing office in any medium designated by the filing office, including issuing a certificate showing whether there is on file any financing statement naming a particular debtor, is ~~Ten Dollars (\$10.00)~~ Five Dollars (\$5.00) for each debtor.

(d) The fee for a copy of a record is One Dollar (\$1.00) per page regardless of the medium used.

(e) This section does not require a fee with respect to a record of a mortgage which is effective as a financing statement filed as a fixture filing or as a financing statement covering as-

extracted collateral or timber to be cut under subsection (c) of Section 1-9-502 of this title. However, the recording and satisfaction fees that otherwise would be applicable to the record of the mortgage apply pursuant to paragraphs 1, 2, 4, 7, 11, 15 and 16 of subsection A of Section 32 of Title 28 of the Oklahoma Statutes.

(f) The fee for providing certified copies shall be One Dollar (\$1.00) per page regardless of medium.

(g) The fee for providing bulk data of indexed records as described in subsection (f) of Section 1-9-523 of this title is as follows:

(1) Five Hundred Dollars (\$500.00) for the initial database history.

(2) Fifty Dollars (\$50.00) for weekly updates to the database.

(3) Four cents (\$0.04) per page for images of filed records.

(h) The filing office may accept payment for fees by automated clearing house or by a nationally recognized debit or credit card. If payment is made by a credit or debit card, the filing office may add an amount equal to the amount of the service charge incurred for the acceptance of the payment. The filing office may enter into contracts for credit card processing services according to applicable county purchasing laws or may enter into agreements with the State Treasurer to participate in any credit card processing agreements entered into by the State Treasurer.

SECTION 3. Section 1 of this act shall become effective July 1, 2000.

SECTION 4. Section 2 of this act shall become effective July 1, 2001.

SECTION 5. 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.

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