

3 Senate Bill No. 869

4 SENATE BILL NO. 869 - By: CRUTCHFIELD of the Senate and WALKER of
5 the House.

6 An Act relating to fees; amending 28 O.S. 2001, Section 111,
7 which relates to fees chargeable by the Secretary of State;
8 deleting obsolete language relating to the monthly
9 agricultural lien list in microfiche format; and declaring
10 an emergency.

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

12 SECTION 1. AMENDATORY 28 O.S. 2001, Section 111, is
13 amended to read as follows:

14 Section 111. A. In addition to other fees provided for by law,
15 the Secretary of State shall collect the following fees:

16 1. For affixing the certificate of the Secretary of State and
17 the seal of the State of Oklahoma, Ten Dollars (\$10.00);

18 2. For copying any paper or document, One Dollar (\$1.00) per
19 page, provided the minimum charge shall not be less than Two Dollars
20 (\$2.00);

21 3. For filing an effective financing statement in the Office of
22 the Secretary of State pursuant to Section 1-9-320.6 of Title 12A of
23 the Oklahoma Statutes, Ten Dollars (\$10.00);

24 4. For filing a continuation statement, partial release,
25 assignment of or amendment to an effective financing statement filed

1 in the Office of the Secretary of State pursuant to Section 1-9-
2 320.6 of Title 12A of the Oklahoma Statutes, Ten Dollars (\$10.00);

3 5. For filing a termination statement for an effective
4 financing statement filed in the Office of the Secretary of State
5 pursuant to Section 1-9-320.6 of Title 12A of the Oklahoma Statutes,
6 Ten Dollars (\$10.00);

7 6. For registering a buyer of farm products, commission
8 merchant, selling agent or other interested party as provided for in
9 Section 1-9-320.6 of Title 12A of the Oklahoma Statutes, Fifty
10 Dollars (\$50.00) per year;

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

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

	Number of Farm	Paper	Microfiche
	Products		
18	(1) 1 to 5 products ...	\$150 per year\$25 per year
19	(2) 6 to 10 products ..	\$200 per year\$50 per year
20	(3) 11 to 20 products .	\$250 per year\$75 per year
21	(4) over 20 products ..	\$300 per year	...\$100 per year

22 b. For information requested for six to twenty-five
23 counties:

Number of Farm Products	Paper	Microfiche
(1) 1 to 10 products ..	\$200 per year.....	\$50 per year
(2) 11 to 20 products .	\$250 per year.....	\$75 per year
(3) over 20 products ..	\$300 per year....	\$100 per year

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

Number of Farm Products	Paper	Microfiche
(1) 1 to 10 products ..	\$250 per year.....	\$75 per year
(2) 11 to 20 products .	\$300 per year....	\$100 per year
(3) over 20 products ..	\$350 per year....	\$125 per year

d. For information requested for over fifty counties:

Number of Farm Products	Paper	Microfiche
(1) 1 to 10 products ..	\$300 per year....	\$100 per year
(2) 11 to 20 products .	\$350 per year....	\$125 per year
(3) over 20 products ..	\$400 per year...	\$150 per year;

8. a. The Secretary of State is authorized to provide for the distribution of the master list or portions thereof to those persons specified in paragraph 7 of this subsection through electronic data ~~or machine readable~~ equipment or other communication media in

1 such form and manner as is specified by the Secretary
2 of State.

3 b. The Secretary of State is authorized to establish a
4 fee system for such transfer of information pursuant
5 to this paragraph. Such fee shall not exceed the
6 amount necessary to cover the costs of the Secretary
7 of State in providing such transfer of information.

8 c. In providing for the transfer of the information
9 specified by this paragraph, the Secretary of State
10 shall ensure the integrity of confidential information
11 within the Office of the Secretary of State through
12 data security measures, internal controls and
13 appropriate data base management;

14 9. For issuing a written confirmation of the existence or
15 nonexistence of active effective financing statements on file for a
16 debtor in the Office of the Secretary of State, Six Dollars (\$6.00);

17 10. The Secretary of State shall collect a fee of Twenty-five
18 Dollars (\$25.00) for every apostille issued. For the purposes of
19 this paragraph, an apostille is a special certificate attached to a
20 public record, as required by the 1961 Hague Convention, Fed. R.
21 Civ. P. 44 (28 U.S.C.A.), to certify the authenticity of the
22 signature, the capacity in which the person signing the document has
23 acted and, where appropriate, the identity of the seal or stamp

1 which it bears; provided, however, a fee of Ten Dollars (\$10.00)
2 shall be collected for any apostille requested for an international
3 adoption; and

4 11. For each service rendered and not specified in this
5 section, such fees as are allowed for similar services in other
6 cases.

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

17 SECTION 2. It being immediately necessary for the preservation
18 of the public peace, health and 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.

21 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 2-16-04
22 - DO PASS, As Coauthored.