

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 3006

By: Johnson (Rob)

4
5
6 AS INTRODUCED

7 An Act relating to fees; amending 28 O.S. 2001,
8 Section 32, as last amended by Section 2, Chapter
9 288, O.S.L. 2004 (28 O.S. Supp. 2007, Section 32),
10 which relates to county clerk fees; providing for
11 fees for electronic copies; and providing an
12 effective date.

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

14 SECTION 1. AMENDATORY 28 O.S. 2001, Section 32, as last
15 amended by Section 2, Chapter 288, O.S.L. 2004 (28 O.S. Supp. 2007,
16 Section 32), is amended to read as follows:

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

- 23 1. For recording the first page of deeds,
24 mortgages and any other instruments not

- 1 subject to the fee imposed by Section 1-9-
- 2 525 of Title 12A of the Oklahoma Statutes.....\$8.00
- 3 2. For recording each additional page of same
- 4 instrument.....\$2.00
- 5 3. For furnishing hard copies of microfilmed
- 6 records to bonded abstractors only, per page.....\$1.00
- 7 4. For furnishing photographic copies of
- 8 photographic records, or of typewritten
- 9 script or printed records, per page.....\$1.00
- 10 5. For furnishing up to 100 non-certified
- 11 electronic copies on media as provided by
- 12 the County Clerk, minimum charge.....\$25.00
- 13 plus ten cents (10) per page after first 100
- 14 until said media is full.....\$0.10 per image
- 15 6. For recording plat of one block or less..... \$10.00
- 16 ~~6.~~
- 17 7. For recording plat of more than one block..... \$25.00
- 18 ~~7.~~
- 19 8. For certifying to any copy per page..... \$1.00
- 20 ~~8.~~
- 21 9. For recording an assignment of Tax Sale
- 22 Certificate to be paid by the party
- 23 purchasing.....\$5.00
- 24 ~~9.~~

- 1 10. For recording of any mark or brand and giving
2 certificate for same.....\$5.00
- 3 ~~10.~~
- 4 11. For recording each certificate for estrays
5 and forwarding description of same, as
6 required by law.....\$1.00
- 7 ~~11.~~
- 8 12. a. For recording and filing of mechanics'
9 or materialmen's liens which includes
10 the release thereof.....\$10.00
- 11 b. For preparing and mailing notice of
12 mechanics' or materialmen's lien.....\$8.00
13 plus the actual cost of postage
- 14 c. For each additional page or exhibit.....\$2.00
- 15 ~~12.~~
- 16 13. For recording and filing of fictitious name
17 partnership certificates.....\$5.00
- 18 To this fee shall be added the fees required
19 by Sections 81 through 86 of Title 54 of
20 the Oklahoma Statutes.
- 21 ~~13.~~
- 22 14. For recording the first page of deeds,
23 mortgages, and any other instruments which
24 are nonconforming pursuant to subsection C

1 of Section 298 of Title 19 of the Oklahoma
2 Statutes..... \$25.00

3 ~~14.~~

4 15. For recording each additional page of an
5 instrument which is nonconforming pursuant
6 to subsection C of Section 298 of Title 19
7 of the Oklahoma Statutes..... \$10.00

8 B. The fees prescribed in paragraph 4 of subsection A of this
9 section shall be deposited into the County Clerk's Lien Fee Account,
10 created pursuant to Section 265 of Title 19 of the Oklahoma
11 Statutes.

12 C. For the purpose of preserving, maintaining, and archiving
13 recorded instruments including, but not limited to, records
14 management, records preservation, automation, modernization, and
15 related lawful expenditures, in addition to all other fees required
16 by law, the county clerk shall collect Five Dollars (\$5.00) for each
17 instrument recorded with the Registrar of Deeds.

18 D. There is hereby created a fund to be known as the "County
19 Clerk's Records Management and Preservation Fund". The fund shall
20 be a continuing fund, not subject to fiscal year limitations, and
21 shall consist of the fees and monies accruing to the fund, as
22 prescribed in subsection C of this section with all monies accruing
23 to the fund to be expended by the clerk and not transferred to any
24 other fund. The intent of this section is to increase the net

1 funding level available to the county clerk to maintain and preserve
2 public records.

3 E. The fees and costs prescribed in this section shall not
4 apply to child support enforcement offices operated by or on behalf
5 of the Department of Human Services' Child Support Enforcement
6 Division. County clerks shall not charge any fees or costs to such
7 offices, the Division, or the Department.

8 SECTION 2. This act shall become effective November 1, 2008.

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