

ENROLLED HOUSE  
BILL NO. 2936

By: Russ and Hilliard of the  
House

and

Newberry of the Senate

An Act relating to banks and trust companies;  
amending 6 O.S. 2001, Section 2206, which relates to  
the Financial Privacy Act; modifying the fees for  
search and processing of certain financial records;  
establishing maximum amount for certain fees; and  
providing an effective date.

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

SECTION 1. AMENDATORY 6 O.S. 2001, Section 2206, is  
amended to read as follows:

Section 2206. A. A government authority shall pay to the  
financial institution assembling, reproducing or providing any  
financial record of a customer a reasonable fee for such costs,  
including copying costs and labor costs, to be paid prior to the  
time the record is released.

B. For purposes of this section, the following fees shall be  
deemed reasonable:

1. Search and processing costs. Reimbursement for search and  
processing costs shall be the total amount of direct personnel time  
incurred in locating and retrieving, reproducing, packaging and  
preparing financial records for shipment or delivery. The rate for  
search and processing costs shall be ~~Eleven Dollars (\$11.00)~~ no more  
than Twenty-Two Dollars (\$22.00) per hour per person for clerical or  
technical personnel, computed on the basis of ~~Two Dollars and  
seventy-five cents (\$2.75)~~ Five Dollars and fifty cents (\$5.50) per

quarter hour or fraction thereof, and ~~Seventeen Dollars (\$17.00)~~ no more than Thirty Dollars (\$30.00) per hour per person for management or supervisory personnel, computed on the basis of ~~Four Dollars and twenty five cents (\$4.25)~~ Seven Dollars and fifty cents (\$7.50) per quarter hour or fraction thereof, and shall be limited to the total amount of personnel time spent in locating and retrieving documents or information or reproducing or packaging and preparing documents for shipment where required or requested by a government authority. If itemized separately, search and processing costs may include the actual cost of extracting information stored by computer in the format in which it is normally produced, based on computer time and necessary supplies. Personnel time for computer search may be paid for only at the rate specified in this paragraph;

2. Reproduction costs. Reimbursement for reproduction costs shall be for costs incurred in making copies of documents required or requested. The rate for reproduction costs for making copies of required or requested documents shall be twenty-five cents (\$0.25) for each page, including copies produced by reader/printer reproduction processes. Photographs, films, computer tapes and other materials shall be reimbursed at actual cost;

3. Transportation costs. Reimbursement for transportation costs shall be for necessary costs, directly incurred, to transport personnel to locate and retrieve the information required or requested, and necessary costs, directly incurred solely by the need to convey the required or requested material to the place of examination; and

4. Directly incurred costs. A financial institution also may receive reimbursement for costs incurred solely and necessarily as a consequence of searching for, reproducing or transporting books, papers, records, or other data, in order to comply with legal process. If a financial institution has records that are stored at an independent storage facility that charges a fee to search for, reproduce, or transport particular records requested, these costs shall be considered to be directly incurred by the financial institution.

SECTION 2. This act shall become effective November 1, 2010.

Passed the House of Representatives the 18th day of May, 2010.

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Presiding Officer of the House of  
Representatives

Passed the Senate the 25th day of May, 2010.

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Presiding Officer of the Senate