

3 Senate Bill No. 1318

4 SENATE BILL NO. 1318 - By: Anderson of the Senate and Jackson of the
5 House.

6 An Act relating to fees; amending 28 O.S. 2001, Section 31,
7 as last amended by Section 1, Chapter 288, O.S.L. 2004 (28
8 O.S. Supp. 2009, Section 31), which relates to fees of court
9 clerks; modifying certain fee under specified circumstances;
10 providing an effective date; and declaring an emergency.

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

12 SECTION 1. AMENDATORY 28 O.S. 2001, Section 31, as last
13 amended by Section 1, Chapter 288, O.S.L. 2004 (28 O.S. Supp. 2009,
14 Section 31), is amended to read as follows:

15 Section 31. Notwithstanding any other provision of law, the
16 clerk of the district court, or the clerk of any other court of
17 record, shall charge and collect the following fees for services by
18 them respectively rendered and none others, except as otherwise
19 provided by law:

- 20 Approving bond or undertaking, including
- 21 certificate and seal.....\$3.00
- 22 Making copy of an instrument of record or
- 23 on file, first page.....\$1.00
- 24 subsequent pages (each).....\$0.50
- 25 Making copy of an instrument of record or
- 26 on file pursuant to a request under the

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1 Open Records Act, Section 24A.1 et seq.
2 of Title 51 of the Oklahoma Statutes,
3 per page\$0.25
4 Certifying to any instrument (each).....\$0.50
5 Authentication of court records.....\$5.00
6 Receiving and paying out money in
7 pursuance of law or order of court.....1%
8 provided, however, that such charge
9 shall not exceed \$300.00.
10 Application, issuing, entering return and
11 recording marriage license if the
12 applicants submit a certificate that
13 states the applicants have completed the
14 premarital counseling program pursuant
15 to Section 5.1 of Title 43 of the
16 Oklahoma Statutes.....\$5.00
17 Application, issuing, entering return and
18 recording marriage license if the
19 applicants do not submit a certificate
20 that states the applicants have
21 completed the premarital counseling
22 program pursuant to Section 5.1 of Title
23 43 of the Oklahoma Statutes.....\$50.00

1 Conveyance of full-blood Indian heirs to
2 interest in inherited lands, same to be
3 accounted for as other fees.....\$5.00
4 Posting notice outside the courthouse.....\$10.00
5 Mailing, by any type of mail, writs,
6 warrants, orders, process, command or
7 notice for each person.....\$10.00, or
8 actual expense, whichever is greater,
9 except ordinary mailing of first-class
10 mail in probate cases, for each case.....\$10.00, or
11 actual expense, whichever is greater.
12 For the actual cost of all postage in each
13 case in excess of.....\$10.00, or
14 actual expense, whichever is greater.
15 For filing and indexing of disclaimers
16 other than in pending probate or civil
17 cases pursuant to the provisions of
18 Section 751 et seq. of Title 60 of the
19 Oklahoma Statutes.....\$5.00

20 SECTION 2. This act shall become effective July 1, 2010.

21 SECTION 3. It being immediately necessary for the preservation
22 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
3 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-2-10 - DO PASS,
4 As Coauthored.