

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2936

By: Russ

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5
6 AS INTRODUCED

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

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

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

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

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

22 1. Search and processing costs. Reimbursement for search and
23 processing costs shall be the total amount of direct personnel time
24 incurred in locating and retrieving, reproducing, packaging and

1 preparing financial records for shipment or delivery. The rate for
2 search and processing costs shall be ~~Eleven Dollars (\$11.00)~~ Twenty-
3 Two Dollars (\$22.00) per hour per person for clerical or technical
4 personnel, computed on the basis of ~~Two Dollars and seventy five~~
5 ~~cents (\$2.75)~~ Five Dollars and fifty cents (\$5.50) per quarter hour
6 or fraction thereof, and ~~Seventeen Dollars (\$17.00)~~ Thirty Dollars
7 (\$30.00) per hour per person for management or supervisory
8 personnel, computed on the basis of ~~Four Dollars and twenty five~~
9 ~~cents (\$4.25)~~ Seven Dollars and fifty cents (\$7.50) per quarter hour
10 or fraction thereof, and shall be limited to the total amount of
11 personnel time spent in locating and retrieving documents or
12 information or reproducing or packaging and preparing documents for
13 shipment where required or requested by a government authority. If
14 itemized separately, search and processing costs may include the
15 actual cost of extracting information stored by computer in the
16 format in which it is normally produced, based on computer time and
17 necessary supplies. Personnel time for computer search may be paid
18 for only at the rate specified in this paragraph;

19 2. Reproduction costs. Reimbursement for reproduction costs
20 shall be for costs incurred in making copies of documents required
21 or requested. The rate for reproduction costs for making copies of
22 required or requested documents shall be twenty-five cents (\$0.25)
23 for each page, including copies produced by reader/printer
24

1 reproduction processes. Photographs, films, computer tapes and
2 other materials shall be reimbursed at actual cost;

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

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

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

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