

STATE OF OKLAHOMA

2nd Session of the 52nd Legislature (2010)

SENATE BILL 1318

By: Anderson

AS INTRODUCED

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

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

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

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

- Approving bond or undertaking, including
  - certificate and seal.....\$3.00
- Making copy of an instrument of record or
  - on file, first page.....\$1.00

1 subsequent pages (each).....\$0.50

2 Making copy of an instrument of record or  
3 on file pursuant to a request under the  
4 Open Records Act, Section 24A.1 et seq.  
5 of Title 51 of the Oklahoma Statutes,  
6 per page .....\$0.25

7 Certifying to any instrument (each).....\$0.50

8 Authentication of court records.....\$5.00

9 Receiving and paying out money in  
10 pursuance of law or order of court.....1%  
11 provided, however, that such charge  
12 shall not exceed \$300.00.

13 Application, issuing, entering return and  
14 recording marriage license if the  
15 applicants submit a certificate that  
16 states the applicants have completed the  
17 premarital counseling program pursuant  
18 to Section 5.1 of Title 43 of the  
19 Oklahoma Statutes.....\$5.00

20 Application, issuing, entering return and  
21 recording marriage license if the  
22 applicants do not submit a certificate  
23 that states the applicants have  
24 completed the premarital counseling

1 program pursuant to Section 5.1 of Title  
 2 43 of the Oklahoma Statutes.....\$50.00  
 3 Conveyance of full-blood Indian heirs to  
 4 interest in inherited lands, same to be  
 5 accounted for as other fees.....\$5.00  
 6 Posting notice outside the courthouse.....\$10.00  
 7 Mailing, by any type of mail, writs,  
 8 warrants, orders, process, command or  
 9 notice for each person.....\$10.00, or  
 10 actual expense, whichever is greater,  
 11 except ordinary mailing of first-class  
 12 mail in probate cases, for each case.....\$10.00, or  
 13 actual expense, whichever is greater.  
 14 For the actual cost of all postage in each  
 15 case in excess of.....\$10.00, or  
 16 actual expense, whichever is greater.  
 17 For filing and indexing of disclaimers  
 18 other than in pending probate or civil  
 19 cases pursuant to the provisions of  
 20 Section 751 et seq. of Title 60 of the  
 21 Oklahoma Statutes.....\$5.00

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

23 SECTION 3. It being immediately necessary for the preservation  
 24 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.

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