

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 2182

By: Blackwell of the House
and
Marlatt of the Senate

[county clerks - authorizing clerk to provide
records in electronic format -
emergency]

13 AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause
and entire bill and insert

"An Act relating to county clerks; amending 19 O.S.
2011, Section 245, which relates to county clerks;
modifying fees for copies of certain records; stating
exemptions; prohibiting sale of certain tract index
for commercial purpose; and declaring an emergency.

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

20 SECTION 1. AMENDATORY 19 O.S. 2011, Section 245, is
21 amended to read as follows:

22 Section 245. A. It shall be the duty of ~~such~~ the county clerk
23 to designate upon every account, which shall be audited and allowed
24 by the board, the amount so allowed, and ~~he~~ the clerk shall deliver

1 to any person a copy certified or otherwise of any record in ~~his~~ the
2 clerk's office and any account on file thereon, ~~on~~ upon receiving
3 ~~from such person~~ the fee allowed pursuant to the ~~Oklahoma Open~~
4 ~~Records Act~~ county clerk fee schedule, Section ~~24A et seq.~~ 32 of
5 Title ~~51~~ 28 of the Oklahoma Statutes, for every page contained in
6 ~~such~~ the copy. Upon demand, the clerk shall furnish a certified
7 copy in the form as it exists and at the preference of the requestor
8 as provided by the ~~Oklahoma Open Records Act~~ county clerk fee
9 schedule.

10 B. If the clerk provides records in the form of a compact disc,
11 the clerk may charge a fee not to exceed twenty-five cents (\$0.25)
12 per page or Twenty-five Dollars (\$25.00) per compact disc which
13 shall contain one hundred pages. The clerk may charge a fee not to
14 exceed Seven Hundred Dollars (\$700.00) for a compact disc containing
15 up to three thousand five hundred pages. All recorded instruments
16 concerning real property required to be kept by the county clerk
17 shall not be available for reproduction in any other electronic
18 format. News media obtaining records in an electronic format for a
19 news purpose and licensed abstractors performing their duties
20 pursuant to state law shall be exempt from the fees provided for in
21 this subsection. Nothing in this section shall be construed to
22 allow county clerks to sell any whole or portion of a tract index
23 for use in any commercial purpose.

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7 [county clerks - authorizing clerk to provide
8 records in electronic format -

9 emergency]
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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 3. AMENDATORY 19 O.S. 2011, Section 245, is
15 amended to read as follows:

16 Section 245. A. It shall be the duty of ~~such~~ the county clerk
17 to designate upon every account, which shall be audited and allowed
18 by the board, the amount so allowed, and ~~he~~ the clerk shall deliver
19 to any person a copy certified or otherwise of any record in ~~his~~ the
20 clerk's office and any account on file thereon, ~~on~~ upon receiving
21 ~~from such person~~ the fee allowed pursuant to the ~~Oklahoma Open~~
22 ~~Records Act~~ county clerk fee schedule, Section ~~24A et seq.~~ 32 of
23 Title ~~51~~ 28 of the Oklahoma Statutes, for every page contained in
24 ~~such~~ the copy. Upon demand, the clerk shall furnish a certified

1 copy in the form as it exists and at the preference of the requestor
2 as provided by the ~~Oklahoma Open Records Act~~ county clerk fee
3 schedule.

4 B. If the clerk provides records in an electronic format, all
5 records shall contain the following information and be searchable by
6 each of the listed criteria:

- 7 1. Document type;
- 8 2. Complete grantor;
- 9 3. Complete grantee;
- 10 4. Date of instrument;
- 11 5. Date of filing;
- 12 6. Recording information; and
- 13 7. Legal description.

14 C. If the clerk provides records in the form of a compact disc,
15 the clerk may charge a fee not to exceed twenty-five cents (\$0.25)
16 per page or Twenty-five Dollars (\$25.00) per compact disc which
17 shall contain one hundred pages. All recorded instruments
18 concerning real property required to be kept by the county clerk
19 shall not be available for reproduction in any other electronic
20 format. News media obtaining records in an electronic format for a
21 news purpose shall be exempt from the fees provided for in this
22 subsection.

23 SECTION 4. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

