

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 HOUSE BILL 2182

By: Blackwell of the House

and

6 Marlatt of the Senate

7  
8 COMMITTEE SUBSTITUTE

9 An Act relating to county clerks; amending 19 O.S.  
10 2011, Section 245, which relates to county clerks;  
11 modifying fees for copies of certain records; stating  
12 exemptions; prohibiting sale of certain tract index  
13 for commercial purpose; and declaring an emergency.

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

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

17 Section 245. A. It shall be the duty of ~~such~~ the county clerk  
18 to designate upon every account, which shall be audited and allowed  
19 by the board, the amount so allowed, and ~~he~~ the clerk shall deliver  
20 to any person a copy certified or otherwise of any record in ~~his~~ the  
21 clerk's office and any account on file thereon, ~~on~~ upon receiving  
22 ~~from such person~~ the fee allowed pursuant to the ~~Oklahoma Open~~  
23 ~~Records Act~~ county clerk fee schedule, Section ~~24A et seq.~~ 32 of  
24 Title ~~51~~ 28 of the Oklahoma Statutes, for every page contained in  
~~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 the form of a compact disc,  
5 the clerk may charge a fee not to exceed twenty-five cents (\$0.25)  
6 per page or Twenty-five Dollars (\$25.00) per compact disc which  
7 shall contain one hundred pages. The clerk may charge a fee not to  
8 exceed Seven Hundred Dollars (\$700.00) for a compact disc containing  
9 up to three thousand five hundred pages. All recorded instruments  
10 concerning real property required to be kept by the county clerk  
11 shall not be available for reproduction in any other electronic  
12 format. News media obtaining records in an electronic format for a  
13 news purpose and licensed abstractors performing their duties  
14 pursuant to state law shall be exempt from the fees provided for in  
15 this subsection. Nothing in this section shall be construed to  
16 allow county clerks to sell any whole or portion of a tract index  
17 for use in any commercial purpose.

18 SECTION 2. It being immediately necessary for the preservation  
19 of the public peace, health and safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

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