

An Act

ENROLLED HOUSE
BILL NO. 2182

By: Blackwell of the House

and

Marlatt of the Senate

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; allowing clerk to charge fee for certain records; defining term; requiring recording devices be supplied by clerk; providing exemption; prohibiting sale of certain tract index for commercial purpose; and declaring an emergency.

SUBJECT: County clerks

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

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

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

B. If the clerk provides records in an electronic format, the clerk may charge a reasonable fee for providing such records. For purposes of this section, "reasonable fee" shall mean the fee being charged by the clerk as of January 1, 2013, but shall not exceed twenty-five cents (\$0.25) per page or fifteen cents (\$0.15) per page for providing more than three thousand five hundred pages in an electronic format. All recording devices for providing records in an electronic format shall be supplied by the county clerk. News media obtaining records in an electronic format for a news purpose and licensed abstractors performing their duties pursuant to state law shall be exempt from the fees provided for in this subsection. Nothing in this section shall be construed to allow county clerks to provide all or part of a tract index for use in any commercial purpose.

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

Passed the House of Representatives the 16th day of May, 2013.

Presiding Officer of the House
of Representatives

Passed the Senate the 23rd day of May, 2013.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____