

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 54th Legislature (2014)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2438

By: Reynolds

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9 COMMITTEE SUBSTITUTE

10 An Act relating to fees; amending 28 O.S. 2011,
11 Section 31, which relates to fees of court clerks;
12 prohibiting court clerk from charging fee to entity
13 that provides information to the public; and
14 providing an effective date.

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

17 SECTION 1. AMENDATORY 28 O.S. 2011, Section 31, is
18 amended to read as follows:

19 Section 31. A. Notwithstanding any other provision of law, but
20 subject to subsection B of this section, the clerk of the district
21 court, or the clerk of any other court of record, shall charge and
22 collect the following fees for services by them respectively
23 rendered and none others, except as otherwise provided by law:

1 Approving bond or undertaking, including
2 certificate and seal.....\$3.00
3 Making copy of an instrument of record or
4 on file, first page.....\$1.00
5 subsequent pages (each).....\$0.50
6 Certifying to any instrument (each).....\$0.50
7 Authentication of court records.....\$5.00
8 Receiving and paying out money in
9 pursuance of law or order of court.....1%
10 provided, however, that such charge
11 shall not exceed \$300.00.
12 Application, issuing, entering return and
13 recording marriage license if the
14 applicants submit a certificate that
15 states the applicants have completed the
16 premarital counseling program pursuant
17 to Section 5.1 of Title 43 of the
18 Oklahoma Statutes.....\$5.00
19 Application, issuing, entering return and
20 recording marriage license if the
21 applicants do not submit a certificate
22 that states the applicants have
23 completed the premarital counseling
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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 B. The clerk of the district court, or the clerk of any other
23 court of record, shall not charge a fee or prevent a person from
24

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 taking photographs or making digital images of court instruments or
2 records that are available for public inspection.

3 SECTION 2. This act shall become effective November 1, 2014.

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5 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES, GOVERNMENT
6 OVERSIGHT AND REPEALER, dated 02/27/2014 - DO PASS, As Amended.
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