STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

HOUSE BILL 2438 By: Reynolds

AS INTRODUCED

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

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

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

Section 31. A. Notwithstanding any other provision of law, but subject to subsection B of this section, 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

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

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

Authentication of court records.....$5.00

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

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

Application, issuing, entering return and recording marriage license if the applicants do not submit a certificate that states the applicants have completed the premarital counseling program pursuant to Section 5.1 of Title 43 of the Oklahoma Statutes.....$50.00

Conveyance of full-blood Indian heirs to interest in inherited lands, same to be accounted for as other fees.....$5.00

Posting notice outside the courthouse.....$10.00

Mailing, by any type of mail, writs, warrants, orders, process, command or notice for each person.....$10.00, or actual expense, whichever is greater, except ordinary mailing of first-class mail in probate cases, for each case.....$10.00, or actual expense, whichever is greater.

For the actual cost of all postage in each case in excess of.....$10.00, or actual expense, whichever is greater.

For filing and indexing of disclaimers other than in pending probate or civil cases pursuant to the provisions of Section 751 et seq. of Title 60 of the Oklahoma Statutes.....$5.00

B. The clerk of the district court, or the clerk of any other court of record, shall not charge a fee to any entity that requests and receives court instruments or records in order to provide information to the public.

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

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