

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 1156 By: Dahm of the Senate  
3 and  
4 Cockroft of the House  
5  
6

7 An Act relating to county officers and public  
8 records; amending 19 O.S. 2011, Section 130.3, which  
9 relates to the Commission on County Government  
10 Personnel Education and Training; removing obsolete  
11 language; amending 19 O.S. 2011, Sections 155.1,  
12 155.4, 155.5 and 155.7, which relate to county  
13 records; updating statutory language regarding  
14 reproduction and storage of certain county records;  
15 updating statutory reference; and amending 19 O.S.  
16 2011, Section 174.1, which relates to county audits;  
17 requiring publication on certain websites; and  
18 providing an effective date.

19 AMENDMENT NO. 1. Page 7, Line 21 1/2, insert a new Section 7 and  
20 Section 8 to read

21 "SECTION 7. AMENDATORY 19 O.S. 2011, Section 299, is  
22 amended to read as follows:

23 Section 299. The county assessor, county clerk and county  
24 treasurer of any county may adopt a system of land parcel identifier  
numbers whereby the same land identifier numbers shall be used by  
the county assessor, county clerk and county treasurer to designate  
a tract of real property situated within the county.

1 In any county where this system has been adopted, the county  
2 clerk ~~shall not~~ may accept for filing or recording any map, plat,  
3 deed, mortgage, lease or other instrument affecting real property  
4 unless the land parcel identifier numbers for all of the land  
5 parcels described and affected are affixed on the face of the map,  
6 plat, deed, mortgage, lease or other instrument. Provided that,  
7 failure to comply with these provisions shall not affect the  
8 validity of any such instrument that is duly recorded.

9 SECTION 8. AMENDATORY 19 O.S. 2011, Section 866.13, is  
10 amended to read as follows:

11 Section 866.13 From and after the adoption of a plan for major  
12 streets or highways as a part of the comprehensive plan for the  
13 physical development of the area and the adoption of the rules and  
14 regulations governing subdivision of land no plat or deed or other  
15 instrument of a subdivision of land within the area shall be  
16 accepted for record in the office of the county clerk until it shall  
17 have been approved by such commission as being in accordance with  
18 the officially adopted rules and regulations of the commission and  
19 such approval endorsed in writing on the plat.

20 The approval of the commission required by this section or the  
21 refusal to approve shall take place within forty-five (45) days from  
22 and after the submission of the subdivision of land for final  
23 approval; otherwise said subdivision of land shall be deemed to have  
24 been approved and the certificate of said commission as to the date

1 of the submission of the subdivision of land for approval and as to  
2 the failure to take action thereon within such time shall be  
3 sufficient in lieu of the written endorsement or evidence of  
4 approval herein required. The ground of refusal of any subdivision  
5 of land submitted, including citation to or reference to the rules  
6 or regulations violated by the subdivision of land, shall be stated  
7 upon the record of the commission.

8       Whoever, being the owner or agent of the owner of any land  
9 within the area, transfers or sells or agrees to sell, or negotiates  
10 to sell any land by reference to or exhibition thereof, or by other  
11 use of a plat of a subdivision or a contract for deed or other  
12 instrument before such plat or deed or instrument has been approved  
13 by the commission and filed of record in the office of the county  
14 clerk, or whoever, being the owner or agent of the owner of a parcel  
15 of ground, transfers, or sells or agrees to sell, or negotiates to  
16 sell any tract of land of less than ten (10) acres, except in  
17 counties adjoining a county having a cooperative planning commission  
18 formed under the provisions of 19 O.S. 1961, Section 863.2, in which  
19 case upon order or rule of the city-county cooperative planning  
20 commission a tract of less than two and one-half (2 1/2) acres where  
21 such tract was not shown of record in the office of the county clerk  
22 as separately owned at the effective date of the regulations  
23 hereinafter provided for and not located within a subdivision  
24 approved according to law and filed of record in the office of the

1 county clerk, or if so located, not comprising at least one entire  
2 lot as recorded, without first obtaining the written approval of the  
3 commission by its endorsement on the instrument of transfer, or  
4 contract of sale or other agreement to transfer, shall be subject to  
5 the penalties by this act provided; and such transaction shall be  
6 unlawful ~~and shall not be recorded by the county clerk~~; provided  
7 that a tract of land which has not been subdivided, a tract of more  
8 than ten (10) acres, except in counties adjoining a county having a  
9 cooperative planning commission formed under the provisions of 19  
10 O.S. 1961, Section 863.2, in which case upon order or rule of the  
11 city-county cooperative planning commission a tract of more than two  
12 and one-half (2 1/2) acres, may be transferred by the owner thereof  
13 to any person without complying with the provisions of this act and  
14 such transfer shall be duly recorded by the county clerk; and  
15 provided, further, that such person may further transfer such tract  
16 without complying with the provisions of this act, so long as such  
17 transfer involves the whole of such tract and the transfer shall be  
18 recorded by the county clerk, and thereafter any transfer shall be  
19 subject to existing law. Provided further, all deeds of record as  
20 of January 1, 1963, which convey tracts of land not portions of an  
21 approved or disapproved plat or subdivision, are hereby validated  
22 insofar as the filings of the same are concerned, whether or not  
23 first approved by the commission.

24



1 ENGROSSED SENATE  
2 BILL NO. 1156

By: Dahm of the Senate

3 and

4 Cockroft of the House

5  
6 An Act relating to county officers and public  
7 records; amending 19 O.S. 2011, Section 130.3, which  
8 relates to the Commission on County Government  
9 Personnel Education and Training; removing obsolete  
10 language; amending 19 O.S. 2011, Sections 155.1,  
11 155.4, 155.5 and 155.7, which relate to county  
12 records; updating statutory language regarding  
13 reproduction and storage of certain county records;  
14 updating statutory reference; and amending 19 O.S.  
15 2011, Section 174.1, which relates to county audits;  
16 requiring publication on certain websites; and  
17 providing an effective date.

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

19 SECTION 1. AMENDATORY 19 O.S. 2011, Section 130.3, is  
20 amended to read as follows:

21 Section 130.3. ~~The Commission shall meet within sixty (60) days~~  
22 ~~after the effective date of this act.~~ The President of Oklahoma  
23 State University or his or her designee shall serve as chair of the  
24 Commission on County Government Personnel Education and Training.  
After the first meeting, the Commission shall meet as it deems  
necessary or when called by the chair or by any three members.  
Three members shall constitute a quorum and no official action shall  
be taken by the Commission unless there is a quorum present.

1 The representative of the County Officers Association shall be  
2 reimbursed for mileage and per diem in accordance with the State  
3 Travel Reimbursement Act when attending Commission meetings or other  
4 activities associated with his or her duties. Other Commission  
5 members shall not be reimbursed.

6 SECTION 2. AMENDATORY 19 O.S. 2011, Section 155.1, is  
7 amended to read as follows:

8 Section 155.1. The county assessor in any county is authorized  
9 to destroy any of the records which have been on file in his or her  
10 office for more than seven (7) years, including all assessment  
11 rolls, assessment listing sheets relating to tangible or intangible  
12 personal properties, monies and credits, real estate, or corporation  
13 properties, all balance sheets, and all homestead exemption  
14 applications. All records which have been on file in his or her  
15 office for more than two (2) years, prior to the current calendar  
16 year and less than seven (7) years, may be destroyed if compliance  
17 is made with statutes authorizing the ~~microfilming or other~~  
18 ~~reproduction of records and storage of reproductions thereof.—A~~  
19 ~~viewerscope shall be provided, the costs, maintenance and supplies~~  
20 ~~therefor be paid from the county general fund, to accommodate public~~  
21 ~~reference to the filmed records. Such reproduction and storage of~~  
22 ~~records shall be done using any generally accepted current~~  
23 ~~technology which will ensure safe documentation and accessibility of~~

24

1 public records. The State Library may be given any record which  
2 would be destroyed upon request therefor.

3 SECTION 3. AMENDATORY 19 O.S. 2011, Section 155.4, is  
4 amended to read as follows:

5 Section 155.4. The county treasurer in each county in Oklahoma  
6 is hereby authorized, each year, to destroy the hereinafter  
7 mentioned types of work books, reports and records that have been on  
8 file or stored in his or her office for the period specifically  
9 indicated as follows:

10 1. After the expiration of seven (7) years:

- 11 a mortgage tax receipts;
- 12 b. all records pertaining to personal tax warrants;
- 13 c. personal tax lien docket.

14 2. After the expiration of seven (7) years after the final  
15 settlement:

- 16 a. all tax protest records;
- 17 b. municipal bond and judgment records.

18 3. After the expiration of ten (10) years:

- 19 a. all tax rolls and tax roll adjustments;
- 20 b. all special assessment rolls;
- 21 c. all tax sale and resale records;
- 22 d. real property, personal property, special assessments  
23 and emergency or back tax receipts.

24

1 4. After the expiration of seven (7) years, provided that the  
2 State Auditor and Inspector has completed his audit for such years  
3 and has not in his report required the record to be retained for a  
4 longer period of time:

- 5 a. all records pertaining to school districts;
- 6 b. all bookkeeping records and instruments pertaining to  
7 apportionment and distribution of monies;
- 8 c. warrant registers;
- 9 d. miscellaneous income and distribution receipts and  
10 records;
- 11 e. bank statements, deposit tickets, F.D.I.C. documents,  
12 depository records, reports, checks, purchase orders  
13 and other bookkeeping records.

14 SECTION 4. AMENDATORY 19 O.S. 2011, Section 155.5, is  
15 amended to read as follows:

16 Section 155.5. A. As to the records that are not destroyed as  
17 provided for in Section ~~2 above~~ 155.2 of this title , the county  
18 treasurer in each county in Oklahoma, after compliance with  
19 provisions of statute as to ~~microfilming~~ reproduction and storage of  
20 records, ~~storing original negatives,~~ and providing for convenient  
21 viewing ~~of reproductions~~ thereof, is hereby authorized, each year,  
22 to destroy the ~~hereinafter mentioned~~ following types of work books,  
23 reports and records that have been on file or stored in his or her  
24

1 office for a period of time longer than the period specifically  
2 indicated, as follows:

3 REQUISITE TIME OF  
4 RETAINING

5 TYPE OF RECORD ORIGINAL

6 Tax Rolls and Tax

7 Roll adjustments 6 years

8 Tax Sale and Resale

9 Records 6 years

10 Special Assessment Rolls 6 years after due date

11 Tax Protest Records Until final settlement

12 Tax Receipts

13 Real Property,

14 personal property 7 years

15 Special Assessments,

16 emergency or back

17 assessments, and

18 mortgage tax receipts 2 years

19 Municipal Bond Records 7 years after final

20 settlement

21 Personal Tax, Warrants

22 and Records 2 years

23 B. All the records above described in Section ~~2, subsection 3~~

24 155.2 of this title, may be destroyed after two (2) years provided

1 the same are ~~filmed~~ reproduced and stored as required by law; and  
2 further provided that the State Auditor and Inspector has audited  
3 said records and has not directed such original records to be  
4 retained. Such ~~filmed~~ copied records must be retained until such  
5 time as the original, if it had been retained, would have been seven  
6 (7) years old.

7 SECTION 5. AMENDATORY 19 O.S. 2011, Section 155.7, is  
8 amended to read as follows:

9 Section 155.7. A. County officers may have any or all records  
10 kept by any county office ~~photographed, microphotographed,~~  
11 ~~photostated,~~ reproduced on film or and stored on optical disk. Such  
12 ~~film or reproducing material shall be of durable material and the in~~  
13 any generally accepted manner using current technology. The device  
14 or method used to reproduce such records ~~on film or other material~~  
15 shall be such as to accurately reproduce and perpetuate the original  
16 records in all details.

17 B. The ~~photostatic copy, photograph, microphotograph,~~  
18 ~~photographic film or optical disk~~ reproduced or stored copy of the  
19 original records shall be deemed to be an original record for all  
20 purposes, and shall be admissible in evidence in all court or  
21 administrative agencies. A facsimile, exemplification or certified  
22 copy thereof shall, for all purposes recited herein, be deemed to be  
23 a transcript, exemplification or certified copy of the original.

24

1 C. Whenever such reproduced records shall be placed in  
2 conveniently accessible files and provisions made for preserving,  
3 examining and using same, the county officer may certify those facts  
4 to the board of county commissioners. All such records shall be  
5 archived or disposed of according to the provisions of the Oklahoma  
6 State Statutes and any other such restrictions as may be applicable.

7 SECTION 6. AMENDATORY 19 O.S. 2011, Section 174.1, is  
8 amended to read as follows:

9 Section 174.1. The State Auditor and Inspector is hereby  
10 authorized upon filing of report of audit of the books, records and  
11 accounts of any county officer, board or commission to publish in a  
12 newspaper or newspapers having a general circulation in the county a  
13 notice of the filing of such audit report; and he or she may cause  
14 to be posted a certificate of completion of such audit report in the  
15 office or offices having custody of the books, records and accounts  
16 embraced in such audit report. In addition to the notice published  
17 in the newspaper, the report shall be posted on the county website  
18 and the State Auditor and Inspector's website. The State Auditor  
19 and Inspector shall transmit a copy of the letter of transmittal of  
20 each such audit report to every legal newspaper published within the  
21 county wherein said audit report is filed with the county clerk.

22 SECTION 7. This act shall become effective November 1, 2016.  
23  
24

