

1 ENGROSSED SENATE
2 BILL NO. 1043

By: Rosino of the Senate

3 and

4 Moore of the House
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6 An Act relating to counties and county officers;
7 amending 19 O.S. 2011, Section 245, as amended by
8 Section 1, Chapter 360, O.S.L. 2013 (19 O.S. Supp.
9 2017, Section 245), which relates to county clerks;
10 modifying requirements for the assessment of certain
11 fees for dissemination of records; and providing an
12 effective date.

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

14 SECTION 1. AMENDATORY 19 O.S. 2011, Section 245, as
15 amended by Section 1, Chapter 360, O.S.L. 2013 (19 O.S. Supp. 2017,
16 Section 245), is amended to read as follows:

17 Section 245. A. It shall be the duty of the county clerk to
18 designate upon every account, which shall be audited and allowed by
19 the board, the amount so allowed, and the clerk shall deliver to any
20 person a copy certified or otherwise of any record in the clerk's
21 office and any account on file thereon, upon receiving the fee
22 allowed pursuant to the Oklahoma Open Records Act or the county
23 clerk fee schedule, Section 32 of Title 28 of the Oklahoma Statutes,
24 for every page contained in the copy. Upon demand, the clerk shall
furnish a certified copy in the form as it exists and at the

1 preference of the requestor as provided by the Oklahoma Open Records
2 Act or the county clerk fee schedule.

3 B. If the clerk provides records in an electronic format, the
4 clerk may charge a reasonable fee for providing such records. For
5 purposes of this section, "reasonable fee" shall mean the fee ~~being~~
6 charged by the clerk ~~as of January 1, 2013, but~~ shall not exceed
7 twenty-five cents (\$0.25) per page image or fifteen cents (\$0.15)
8 per page image for providing more than three thousand five hundred
9 ~~pages~~ (3,500) images in an electronic format. All recording devices
10 for providing records in an electronic format shall be supplied by
11 the county clerk. News media obtaining records in an electronic
12 format for a news purpose and licensed abstractors performing their
13 duties pursuant to state law shall be exempt from the fees provided
14 for in this subsection. Nothing in this section shall be construed
15 to allow county clerks to provide all or part of a tract index for
16 use in any commercial purpose.

17 SECTION 2. This act shall become effective November 1, 2018.
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1 Passed the Senate the 5th day of March, 2018.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2018.

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9 Presiding Officer of the House
10 of Representatives