

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

COMMITTEE SUBSTITUTE
FOR ENGROSSED

SENATE BILL NO. 988

By: Reinhardt and Hall of the
Senate

and

Pfeiffer of the House

COMMITTEE SUBSTITUTE

An Act relating to the Uniform Commercial Code;
amending 12A O.S. 2021, Sections 1-9-320.2, 1-9-
320.3, 1-9-320.4, 1-9-320.6, as amended by Section 1,
Chapter 109, O.S.L. 2022, and 1-9-525 (12A O.S. Supp.
2024, Section 1-9-320.6), which relate to secured
transactions; transferring certain authority from
Secretary of State to Oklahoma County Clerk;
directing Oklahoma County Clerk to take certain
actions; modifying certain filing procedures;
amending 28 O.S. 2021, Section 111, as amended by
Section 2, Chapter 109, O.S.L. 2022 (28 O.S. Supp.
2024, Section 111), which relates to fees to be
charged by Secretary of State; transferring certain
fees from Secretary of State to Oklahoma County
Clerk; updating statutory language; and providing a
conditional effective date.

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

SECTION 1. AMENDATORY 12A O.S. 2021, Section 1-9-320.2,
is amended to read as follows:

Section 1-9-320.2.

1 DEFINITIONS; REQUISITES OF AN
2 EFFECTIVE FINANCING STATEMENT

3 As used in this section and Sections 1-9-320.1 through 1-9-320.7
4 of this title:

5 (a) "Buyer in the ordinary course of business" means a
6 person who, in the ordinary course of business, buys
7 farm products from a person engaged in farming
8 operations who is in the business of selling farm
9 products.

10 (b) "Central filing system" means a system for filing
11 effective financing statements on a statewide basis
12 and which has been certified by the Secretary of the
13 United States Department of Agriculture.

14 (c) "Commission merchant" means any person engaged in the
15 business of receiving any farm product for sale, on
16 commission, or for or on behalf of another person.

17 (d) "Effective financing statement" means a statement
18 that:

19 (i) is an original or reproduced form consistent with
20 the provisions of this act and approved by the
21 ~~Secretary of State~~ Oklahoma County Clerk;

22 (ii) is signed and filed with the ~~Secretary of State~~
23 Oklahoma County Clerk by the secured party;

24 (iii) ~~is signed by the debtor;~~

1 ~~(iv)~~ contains:

2 (A) the name and address of the secured party,

3 (B) the name and address of the person indebted
4 to the secured party,

5 (C) the social security number of the debtor or,
6 in the case of a debtor doing business other
7 than as an individual, the Internal Revenue
8 Service taxpayer identification number of
9 such debtor,

10 (D) the farm product name,

11 (E) each county in this state where the farm
12 product is produced or to be produced or a
13 blanket code covering all 77 Oklahoma
14 counties,

15 (F) a description of the farm products subject
16 to the security interest only if needed to
17 distinguish it from other such farm products
18 owned by the same person or persons but not
19 subject to the particular interest; and

20 (G) the crop year, unless every crop of the farm
21 product in question, for the duration of the
22 effective financing statement, is to be
23 subject to the particular security interest.

~~(v)~~ (iv) must be amended in writing, within three
(3) months, similarly ~~signed and~~ filed, to
reflect material changes;

~~(vi)~~ (v) remains effective for a period of five (5)
years from the date of filing, subject to
extensions for additional periods of five (5)
years each by refiling or filing a continuation
statement within six (6) months before the
expiration of the initial five-year period;

~~(vii)~~ (vi) is not removed from the public database but
is not reported as an active files file when the
statement lapses on the expiration of the
effective period of the statement or when a
termination statement from the secured party is
accepted, whichever occurs first;

~~(viii)~~ (vii) is accompanied by the requisite filing fee
provided for in Section 111 of Title 28 of the
Oklahoma Statutes; and

~~(ix)~~ (viii) substantially complies with the
requirements of this paragraph even though it
contains minor errors that are not seriously
misleading.

~~(x)~~ (ix) may reflect multiple products or products
in multiple counties.

(e) "Farm product" means an agricultural commodity such as wheat, corn, soybeans, or a species of livestock such as cattle, hogs, sheep, horses, or poultry used or produced in farming operations, or a product of such crop or livestock in its unmanufactured state (such as ginned cotton, wool-clip, maple syrup, milk, and eggs), that is in the possession of a person engaged in farming operations.

(f) "Knows" or "knowledge" means actual knowledge.

(g) "Person" means any individual, partnership, corporation, limited liability company, trust, or any other business entity.

(h) "Security interest" means an interest in farm products that secures payment or performance of an obligation.

(i) "Selling agent" means any person, other than a commission merchant, who is engaged in the business of negotiating the sale and purchase of any farm product on behalf of a person engaged in farming operations.

~~(2)~~ Unless otherwise provided for in this act, for purposes of this section and Sections 4 and 6 of this act, receipt of notice shall be presumed if notice is sent by first-class mail, postage prepaid.

SECTION 2. AMENDATORY 12A O.S. 2021, Section 1-9-320.3, is amended to read as follows:

1 Section 1-9-320.3.

2 FORMS; DUTY OF ~~SECRETARY OF STATE~~ OKLAHOMA COUNTY CLERK

3 The ~~Secretary of State~~ Oklahoma County Clerk shall develop and
4 maintain a standard form for an effective financing statement and
5 for a statement of continuation, partial release, amendment, or
6 assignment thereof, which shall be consistent with the provisions of
7 Sections 1-9-320.1 through 1-9-320.7 of this title.

8 SECTION 3. AMENDATORY 12A O.S. 2021, Section 1-9-320.4,
9 is amended to read as follows:

10 Section 1-9-320.4.

11 PROTECTION OF BUYERS OF FARM PRODUCTS,
12 COMMISSION MERCHANTS AND SELLING AGENTS

13 A buyer of farm products, commission merchant, or selling agent
14 who purchases or sells farm products in the ordinary course of
15 business from or for a person engaged in farming operations takes
16 subject to a security interest in the farm products if:

- 17 (a) (i) the buyer of the farm products, commission merchant,
18 or selling agent has failed to register with the
19 ~~Secretary of State~~ Oklahoma County Clerk prior to the
20 purchase of the farm products and the secured party
21 has filed an effective financing statement that covers
22 the farm products being sold; or
23 (ii) the buyer of farm products, commission merchant or
24 selling agent receives from the ~~Secretary of State~~

1 Oklahoma County Clerk written notice as provided in
2 paragraph (d) or (f) of subsection (4) of Section 1-9-
3 320.6 of this title, and the buyer of farm products,
4 commission merchant or selling agent does not secure a
5 waiver or release of the security interest specified
6 in an effective financing statement from the secured
7 party by performing any payment obligation or
8 otherwise; or

9 (b) the secured party or the seller provides written notice of
10 the security interest pursuant to the provisions of Section
11 1-9-320.7 of this title.

12 SECTION 4. AMENDATORY 12A O.S. 2021, Section 1-9-320.6,
13 as amended by Section 1, Chapter 109, O.S.L. 2022 (12A O.S. Supp.
14 2024, Section 1-9-320.6), is amended to read as follows:

15 Section 1-9-320.6.

16 CENTRAL FILING SYSTEM RELATING TO FARM PRODUCTS

17 (1) The ~~Secretary of State~~ Oklahoma County Clerk shall be
18 responsible for developing and ~~implementing~~ maintaining the central
19 filing system. This responsibility shall include obtaining the
20 necessary certification for the system from the United States
21 Department of Agriculture ~~("USDA")~~ (USDA). The effective date for
22 the implementation of the central filing system ~~was October 24, 1988~~
23 shall be one hundred eighty (180) days from the certification of the
24 central filing system by the USDA.

1 (2) ~~The Secretary of State~~ Oklahoma County Clerk may
2 promulgate, in accordance with ~~the applicable provisions of the~~
3 ~~Administrative Procedures Act,~~ laws governing business within its
4 office, appropriate rules and practices of the filing office in
5 harmony with the rules and practices of filing offices in other
6 jurisdictions that enact substantially this part and to keep the
7 technology used by the filing office compatible with the technology
8 used by filing offices in other jurisdictions that enact
9 substantially this part. The Oklahoma County Clerk, so far as is
10 consistent with the purposes, policies, and provisions of this
11 article in adopting, amending, and repealing filing office rules,
12 shall:

13 (a) consult with filing offices in other jurisdictions
14 that enact substantially this part,

15 (b) consult the International Association of Commercial
16 Administrators or any successor organization, and

17 (c) take into consideration the rules and practices of,
18 and the technology used by, filing offices in other
19 jurisdictions that enact substantially this part, for
20 the implementation and operation of the central filing
21 system.

22 (3) ~~The Office of Management and Enterprise Services shall~~
23 ~~assist the Secretary of State in developing and implementing the~~
24 ~~central filing system.~~

1 ~~(4)~~ The central filing system shall conform to the following
2 requirements:

3 (a) The ~~Secretary of State~~ Oklahoma County Clerk shall
4 record the date ~~and~~, hour, minute, and second of the
5 filing of each effective financing statement;

6 (b) The ~~Secretary of State~~ Oklahoma County Clerk shall
7 compile all effective financing statements into a
8 master list:

9 (i) organized according to farm products;

10 (ii) arranged within each such product:

11 (A) in alphabetical order according to the last
12 name of the individual debtors or, in the
13 case of debtors doing business other than as
14 individuals, the first word in the name of
15 the debtors;

16 (B) in numerical order according to the Social
17 Security number of the individual debtors
18 or, in the case of debtors doing business
19 other than as individuals, the Internal
20 Revenue Service taxpayer identification
21 number of the debtors;

22 (C) geographically by county produced; and

23 (D) by crop year; and
24

1 (iii) containing the information provided for in
2 subparagraph (iv) of paragraph (d) of Section 1-
3 9-320.2 of this title;

4 ~~(iv) portions of the master list shall be available in~~
5 ~~hard copy, electronic formats, or via Internet~~
6 ~~download, and may be organized by other sorting~~
7 ~~methods in addition to the methods listed above.~~

8 (c) The ~~Secretary of State~~ Oklahoma County Clerk shall
9 maintain records of all buyers of farm products,
10 commission merchants, selling agents and others who
11 register with the ~~Secretary of State~~ Oklahoma County
12 Clerk, on a form containing:

13 (i) the name and address of each registrant;

14 (ii) the information on the farm product or products
15 that the registrant is requesting;

16 (iii) the name of each county where the product is
17 produced or to be produced, or a blanket code
18 covering all seventy-seven (77) counties of this
19 state; and

20 (iv) an authorized signature.

21 (d) (i) A copy of those portions of the master list
22 covering the information requested by a
23 registrant shall be distributed to such
24 registrants by the ~~Secretary of State~~ Oklahoma

1 County Clerk on or before the last business day
2 of each month and shall be presumed to have been
3 received by the third business day of the
4 following month.

5 (ii) Registrants shall be deemed to be registered only
6 as to those portions of the master list for which
7 they register, and shall be deemed to have failed
8 to register and shall not be considered to be
9 registrants as to those portions for which they
10 do not register.

11 (iii) Registrants are subject only to security
12 interests shown on the portions of the master
13 list which they receive as a consequence of
14 registration with the ~~Secretary of State~~ Oklahoma
15 County Clerk.

16 (iv) If a particular security interest is shown on the
17 master list, but was included since the last
18 regular distribution of portions of the master
19 list to registrants, registrants shall not be
20 subject to that security interest;

21 (e) The duration of the registration with the ~~Secretary of~~
22 ~~State~~ Oklahoma County Clerk of a buyer of farm
23 products, commission merchant, selling agent or other
24 registrant shall be one (1) year from the effective

1 date of the registration with the ~~Secretary of State~~
2 Oklahoma County Clerk.

3 (f) (i) Upon request, within twenty-four (24) hours of
4 any inquiry, for information, the ~~Secretary of~~
5 ~~State~~ Oklahoma County Clerk shall provide ~~verbal~~
6 confirmation of the existence or nonexistence of
7 any effective financing statement on file. By
8 the close of the business day following the day
9 on which the request was received, written
10 confirmation of the existence of an effective
11 financing statement will be provided to buyers of
12 farm products, commission merchants, and selling
13 agents who have not registered, and others who
14 request it.

15 (ii) The state or political subdivision shall not be
16 liable if a loss or claim results from any
17 confirmation of the existence or nonexistence of
18 any effective financing statement on file in the
19 ~~Office of the Secretary of State~~ Oklahoma County
20 Clerk's office made in good faith by an employee
21 of the ~~Office of the Secretary of State~~ Oklahoma
22 County Clerk's office as required by the
23 provisions of this section.
24

1 ~~(5)~~ (4) The filing in the office of the ~~Secretary of State~~
2 Oklahoma County Clerk under this section shall be in addition to the
3 filing requirements provided for in this article.

4 ~~(6)~~ (5) A financing or continuation statement covering farm
5 products that has not lapsed and which was filed pursuant to this
6 title between December 23, 1986, and October 24, 1988, inclusive,
7 and for which no written notice was furnished as provided in Section
8 1-9-320.7 of this title, shall become ineffective as to a buyer of
9 farm products, commission merchant or selling agent, unless the
10 secured party files an effective financing statement in the office
11 of the ~~Secretary of State~~ Oklahoma County Clerk.

12 ~~(7)~~ (6) An effective financing statement shall not be deemed
13 filed in accordance with the provisions of this section until all
14 fees authorized by Section 111 of Title 28 of the Oklahoma Statutes
15 relating to the filing of the statement are tendered to the
16 ~~Secretary of State~~ Oklahoma County Clerk.

17 ~~(8)~~ (7) The secured party shall file a termination statement
18 within twenty (20) days after there is no outstanding secured
19 obligation or commitment to make advances, incur obligations or
20 otherwise give value. The termination statement shall refer to the
21 unique document ID number. The secured party shall not be required
22 to file a termination statement if the debtor, in writing, addressed
23 to the secured party, requests that a termination not be filed. The
24 request shall be signed by the debtor or an authorized

1 representative and the request may be made at any time prior to the
2 expiration date of an effective financing statement set forth
3 herein. If the affected secured party fails to file a termination
4 statement as required by this subsection, the party shall be liable
5 to the ~~Secretary of State~~ Oklahoma County Clerk for Five Hundred
6 Dollars (\$500.00). In addition the affected secured party shall be
7 liable to the debtor for any loss caused to the debtor by the
8 failure to terminate the effective financing statement.

9 ~~(9)~~ (8) The ~~Attorney General~~ Oklahoma County District Attorney
10 shall be responsible for enforcing the provisions of subsection ~~(8)~~
11 (7) of this section on behalf of the ~~Secretary of State~~ Oklahoma
12 County Clerk and is authorized to take appropriate actions to
13 collect any penalties owed to the ~~Secretary of State~~ Oklahoma County
14 Clerk pursuant to subsection ~~(8)~~ (7) of this section. When
15 collected, the Oklahoma County District Attorney ~~General~~ shall cause
16 the penalty to be deposited into the ~~Central Filing System Revolving~~
17 ~~Fund~~ Oklahoma County Clerk's Uniform Commercial Code Central Filing
18 Fund created pursuant to ~~Section 276.3 of Title 62 of the Oklahoma~~
19 ~~Statutes~~ Section 1-9-525.1 of Title 12A of the Oklahoma Statutes.

20 (9) As the purpose of an effective financing statement filing
21 is to ensure that a joint check is made payable to the debtor and
22 all applicable secured parties, there shall be no priority among
23 filings. Filings shall be processed according to the order in which
24 they were filed, as recorded in a timestamp within the filing.

1 (10) All active filings on the effective date of this act, as
2 provided in paragraph (1) of this section, shall be filed with the
3 Oklahoma County Clerk's office. Each active filing that is filed
4 pursuant to the requirements of this paragraph shall be accompanied
5 with a transition document that shall be provided by the Oklahoma
6 County Clerk's office. The Oklahoma County Clerk's office shall
7 charge no fee for active filings that are migrated to the system
8 maintained by the Oklahoma County Clerk.

9 SECTION 5. AMENDATORY 12A O.S. 2021, Section 1-9-525, is
10 amended to read as follows:

11 Section 1-9-525.

12 FEES

13 (a) Except as otherwise provided in subsection (e) of this
14 section, the fee for filing and indexing a record under this part,
15 other than an initial financing statement of the kind described in
16 subsection (c) of Section 1-9-502 of this title, is:

17 (1) Ten Dollars (\$10.00) if the record is communicated in
18 writing and consists of one to five pages, and an additional One
19 Dollar (\$1.00) per page for each page exceeding five; and

20 (2) Ten Dollars (\$10.00) if the record is communicated by an
21 electronic medium authorized by filing-office rule.

22 (b) The number of names required to be indexed does not affect
23 the amount of the fee in subsection (a) of this section.
24

1 (c) The fee for responding to a request for information from
2 the filing office in any medium designated by the filing office,
3 including issuing a certificate showing whether there is on file any
4 financing statement naming a particular debtor, is Ten Dollars
5 (\$10.00) for each debtor.

6 (d) The fee for a copy of a record is One Dollar (\$1.00) per
7 page regardless of the medium used.

8 (e) This section does not require a fee with respect to a
9 record of a mortgage which is effective as a financing statement
10 filed as a fixture filing or as a financing statement covering as-
11 extracted collateral or timber to be cut under subsection (c) of
12 Section 1-9-502 of this title. However, the recording and
13 satisfaction fees that otherwise would be applicable to the record
14 of the mortgage apply pursuant to paragraphs 1, 2, 4, 7, 11, 15 and
15 16 of subsection A of Section 32 of Title 28 of the Oklahoma
16 Statutes.

17 (f) The fee for providing certified copies shall be One Dollar
18 (\$1.00) per page regardless of medium.

19 (g) The fee for providing bulk data of indexed records as
20 described in subsection (f) of Section 1-9-523 of this title is as
21 follows:

22 (1) Five Hundred Dollars (\$500.00) for the initial database
23 history.

24 (2) Fifty Dollars (\$50.00) for weekly updates to the database.

(3) Four cents (\$0.04) per page for images of filed records.

(h) The filing office may accept payment for fees by automated clearing house or by a nationally recognized debit or credit card. If payment is made by a credit or debit card, the filing office may add an amount equal to the amount of the service charge incurred for the acceptance of the payment. The filing office may enter into contracts for credit card processing services according to applicable county purchasing laws ~~or may enter into agreements with the State Treasurer to participate in any credit card processing agreements entered into by the State Treasurer.~~

(i) In addition to the other fees provided by law, the Oklahoma County Clerk shall, upon the effective date of the central filing system provided for in Section 1-9-320.6 of this title, collect the following fees:

(1) For filing an effective financing statement in the Oklahoma County Clerk's office pursuant to Section 1-9-320.6 of this title, Ten Dollars (\$10.00);

(2) For filing a continuation statement, partial release, or assignment of or amendment to an effective financing statement filed in the Oklahoma County Clerk's office pursuant to Section 1-9-320.6 of this title, Ten Dollars (\$10.00);

(3) For filing a termination statement for an effective financing statement filed in the Oklahoma County Clerk's office pursuant to Section 1-9-320.6 of this title, Ten Dollars (\$10.00);

1 (4) For registering a buyer of farm products, commission
2 merchant, selling agent, or other interested party as provided for
3 in Section 1-9-320.6 of this title, Fifty Dollars (\$50.00) per year.
4 The registration fee provided for in this paragraph shall not apply
5 if the buyer of farm products, commission merchant, selling agent,
6 or other interested party as provided for in Section 1-9-320.6 of
7 this title accesses the master list through Internet download;

8 (5) For distributing a copy of the master list or portions
9 thereof to registrants, as provided for in Section 1-9-320.6 of this
10 title, in accordance with the following fee schedule. Such fees may
11 be paid annually or semiannually:

12 (A) For information requested for five or fewer counties:

<u>Number of Farm</u>	
<u>Products</u>	<u>Paper</u>
<u>(i) 1 to 5 products</u>	<u>\$150 per year</u>
<u>(ii) 6 to 10 products</u>	<u>\$200 per year</u>
<u>(iii) 11 to 20 products</u>	<u>\$250 per year</u>
<u>(iv) over 20 products</u>	<u>\$300 per year</u>

19 (B) For information requested for six to twenty-five
20 counties:

<u>Number of Farm</u>	
<u>Products</u>	<u>Paper</u>
<u>(i) 1 to 10 products</u>	<u>\$200 per year</u>
<u>(ii) 11 to 20 products</u>	<u>\$250 per year</u>

1 (iii) over 20 products\$300 per year

2 (C) For information requested for twenty-six to fifty
3 counties:

4 Number of Farm

5 Products

Paper

6 (i) 1 to 10 products\$250 per year

7 (ii) 11 to 20 products\$300 per year

8 (iii) over 20 products\$350 per year

9 (D) For information requested for over fifty counties:

10 Number of Farm

11 Products

Paper

12 (i) 1 to 10 products\$300 per year

13 (ii) 11 to 20 products\$350 per year

14 (iii) over 20 products\$400 per year;

15 (6) (A) The Oklahoma County Clerk is authorized to provide for
16 the distribution of the master list or portions
17 thereof to those persons specified in paragraph 5 of
18 this subsection through Internet download, electronic
19 data equipment, or other communication media in such
20 form and manner as is specified by the Oklahoma County
21 Clerk. The Oklahoma County Clerk shall not collect a
22 fee for distribution of the master list or portions
23 thereof through Internet download.

1 (B) The Oklahoma County Clerk is authorized to establish a
2 fee system for such transfer of information pursuant
3 to this paragraph. Such fee shall not exceed the
4 amount necessary to cover the costs of the Oklahoma
5 County Clerk in providing such transfer of
6 information.

7 (C) In providing for the transfer of the information
8 specified by this paragraph, the Oklahoma County Clerk
9 shall ensure the integrity of confidential information
10 through data security measures, internal controls, and
11 appropriate database management; and

12 (7) For issuing a written confirmation of the existence or
13 nonexistence of active effective financing statements on file for a
14 debtor in the Oklahoma County Clerk's office, Six Dollars (\$6.00).

15 (j) All fees shall be properly accounted for and shall be paid
16 to the Oklahoma County Clerk monthly. The fees generated by
17 subsection (i) of this section shall be deposited to the credit of
18 the Oklahoma County Clerk's Uniform Commercial Code Central Filing
19 Fund created pursuant to Section 1-9-525.1 of this title.

20 SECTION 6. AMENDATORY 28 O.S. 2021, Section 111, as
21 amended by Section 2, Chapter 109, O.S.L. 2022 (28 O.S. Supp. 2024,
22 Section 111), is amended to read as follows:

23 Section 111. A. In addition to other fees provided for by law,
24 the Secretary of State shall collect the following fees:

1 1. For affixing the certificate of the Secretary of State and
2 the seal of the State of Oklahoma, Ten Dollars (\$10.00);

3 2. For copying any paper or document, One Dollar (\$1.00) per
4 page, provided the minimum charge shall not be less than Two Dollars
5 (\$2.00);

6 3. For filing an effective financing statement in the Office of
7 the Secretary of State pursuant to Section 1-9-320.6 of Title 12A of
8 the Oklahoma Statutes, prior to the effective date of the central
9 filing system provided in Section 1-9-320.6 of Title 12A of the
10 Oklahoma Statutes, Ten Dollars (\$10.00);

11 4. For filing a continuation statement, partial release,
12 assignment of or amendment to an effective financing statement filed
13 in the Office of the Secretary of State pursuant to Section 1-9-
14 320.6 of Title 12A of the Oklahoma Statutes, prior to the effective
15 date of the central filing system provided in Section 1-9-320.6 of
16 Title 12A of the Oklahoma Statutes, Ten Dollars (\$10.00);

17 5. For filing a termination statement for an effective
18 financing statement filed in the Office of the Secretary of State
19 pursuant to Section 1-9-320.6 of Title 12A of the Oklahoma Statutes,
20 prior to the effective date of the central filing system provided in
21 Section 1-9-320.6 of Title 12A of the Oklahoma Statutes, Ten Dollars
22 (\$10.00);

23 6. For registering a buyer of farm products, commission
24 merchant, selling agent or other interested party as provided for in

1 Section 1-9-320.6 of Title 12A of the Oklahoma Statutes, prior to
2 the effective date of the central filing system provided in Section
3 1-9-320.6 of Title 12A of the Oklahoma Statutes, Fifty Dollars
4 (\$50.00) per year. The registration fee provided for in this
5 paragraph shall not apply if the buyer of farm products, commission
6 merchant, selling agent, or other interested party as provided for
7 in Section 1-9-320.6 of Title 12A of the Oklahoma Statutes accesses
8 the master list through Internet download;

9 7. For distributing a copy of the master list or portions
10 thereof to registrants, as provided for in Section 1-9-320.6 of
11 Title 12A of the Oklahoma Statutes, prior to the effective date of
12 the central filing system provided in Section 1-9-320.6 of Title 12A
13 of the Oklahoma Statutes, in accordance with the following fee
14 schedule. Such fees may be paid annually or semiannually:

15 a. For information requested for five or less counties:

Number of Farm	
Products	Paper
(1) 1 to 5 products	\$150 per year
(2) 6 to 10 products	\$200 per year
(3) 11 to 20 products	\$250 per year
(4) over 20 products	\$300 per year

22 b. For information requested for six to twenty-five
23 counties:

24 Number of Farm

	Products	Paper
(1)	1 to 10 products	\$200 per year
(2)	11 to 20 products	\$250 per year
(3)	over 20 products	\$300 per year

c. For information requested for twenty-six to fifty counties:

Number of Farm		
	Products	Paper
(1)	1 to 10 products	\$250 per year
(2)	11 to 20 products	\$300 per year
(3)	over 20 products	\$350 per year

d. For information requested for over fifty counties:

Number of Farm		
	Products	Paper
(1)	1 to 10 products	\$300 per year
(2)	11 to 20 products	\$350 per year
(3)	over 20 products	\$400 per year;

8. a. The Secretary of State, prior to the effective date of the central filing system provided in Section 1-9-320.6 of Title 12A of the Oklahoma Statutes, is authorized to provide for the distribution of the master list or portions thereof to those persons specified in paragraph 7 of this subsection through Internet download, electronic data equipment, or other

1 communication media in such form and manner as is
2 specified by the Secretary of State. The Secretary of
3 State shall not collect a fee for distribution of the
4 master list or portions thereof through Internet
5 download.

6 b. The Secretary of State, prior to the effective date of
7 the central filing system provided in Section 1-9-
8 320.6 of Title 12A of the Oklahoma Statutes, is
9 authorized to establish a fee system for such transfer
10 of information pursuant to this paragraph. Such fee
11 shall not exceed the amount necessary to cover the
12 costs of the Secretary of State in providing such
13 transfer of information.

14 c. In providing for the transfer of the information
15 specified by this paragraph, the Secretary of State
16 shall ensure the integrity of confidential information
17 within the Office of the Secretary of State through
18 data security measures, internal controls and
19 appropriate data base management;

20 9. For issuing a written confirmation of the existence or
21 nonexistence of active effective financing statements on file for a
22 debtor in the Office of the Secretary of State, prior to the
23 effective date of the central filing system provided in Section 1-9-
24 320.6 of Title 12A of the Oklahoma Statutes, Six Dollars (\$6.00);

1 10. The Secretary of State shall collect a fee of Twenty-five
2 Dollars (\$25.00) for every apostille issued. For the purposes of
3 this paragraph, an apostille is a special certificate attached to a
4 public record, as required by the 1961 Hague Convention, Fed. R.
5 Civ. P. 44 (28 U.S.C.A.), to certify the authenticity of the
6 signature, the capacity in which the person signing the document has
7 acted and, where appropriate, the identity of the seal or stamp
8 which it bears; provided, however, a fee of Ten Dollars (\$10.00)
9 shall be collected for any apostille requested for an international
10 adoption not to exceed One Hundred Dollars (\$100.00) for the
11 adoption of each child; and

12 11. For each service rendered and not specified in this
13 section, such fees as are allowed for similar services in other
14 cases.

15 B. All fees shall be properly accounted for and shall be paid
16 into the State Treasury monthly. The fees generated by paragraphs
17 1, 2, 10 and 11 of subsection A of this section shall be deposited
18 to the credit of the Revolving Fund for the Office of the Secretary
19 of State created pursuant to Section 276.1 of Title 62 of the
20 Oklahoma Statutes. The fees generated by paragraphs 3 through 9 of
21 subsection A of this section and other fees collected by the central
22 filing system shall be deposited to the credit of the Central Filing
23 System Revolving Fund created pursuant to Section 276.3 of Title 62
24 of the Oklahoma Statutes.

SECTION 7. This act shall become effective one hundred eighty (180) days from the certification of the central filing system by the USDA, pursuant to the implementation effective date set forth in Section 1-9-320.6 of Title 12A of the Oklahoma Statutes. Upon the occurrence of such implementation, the Oklahoma County Clerk shall issue a formal notification to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Governor, and the Secretary of State indicating that the contingency has been met and the amendments shall take effect.

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