1	HOUSE OF REPRESENTATIVES - FLOOR VERSION
2	STATE OF OKLAHOMA
3	2nd Session of the 55th Legislature (2016)
4	ENGROSSED SENATE BILL NO. 1405 By: Newberry of the Senate
5	and
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7	Caldwell of the House
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9	An Act relating to document filing fees; amending 28 O.S. 2011, Section 32, which relates to county clerk
10	fees; prohibiting the charging and collection of certain fee; requiring the filing of certain document
11	under certain circumstances; allowing use of certain information; and providing an effective date.
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14	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
15	SECTION 1. AMENDATORY 28 O.S. 2011, Section 32, is
16	amended to read as follows:
17	Section 32. A. Notwithstanding any other provision of law
18	county clerks shall charge and collect the following flat fees to be
19	uniform throughout the state regardless of the recording method
20	used, and the county clerks shall not be required to itemize or
21	charge these fees pursuant to any other schedule, except as
22	specifically provided by law:
23	1. For recording the first page of deeds,
24	mortgages and any other instruments not

1		subject to the fee imposed by Section 1-9-525
2		of Title 12A of the Oklahoma Statutes\$8.00
З	2.	For recording each additional page of same
4		instrument\$2.00
5	3.	For furnishing hard copies of microfilmed
6		records to bonded abstractors only, per page\$1.00
7	4.	For furnishing photographic copies of
8		photographic records, or of typewritten script
9		or printed records, per page\$1.00
10	5.	For recording plat of one block or less \$10.00
11	6.	For recording plat of more than one block \$25.00
12	7.	For certifying to any copy per page\$1.00
13	8.	For recording an assignment of Tax Sale
14		Certificate to be paid by the party purchasing\$5.00
15	9.	For recording of any mark or brand and giving
16		certificate for same\$5.00
17	10.	For recording each certificate for estrays
18		and forwarding description of same, as
19		required by law\$1.00
20	11.	a. For recording and filing of mechanics'
21		or materialmen's liens which includes
22		the release thereof\$10.00
23		b. For preparing and mailing notice of
24		mechanics' or materialmen's lien\$8.00

1		plus the actual cost of postage
2		c. For each additional page or exhibit\$2.00
3	12.	For recording and filing of fictitious name
4		partnership certificates\$5.00
5		To this fee shall be added the fees required
6		by Sections 81 through 86 of Title 54 of the
7		Oklahoma Statutes.
8	13.	For recording the first page of deeds,
9		mortgages, and any other instruments which
10		are nonconforming pursuant to subsection C of
11		Section 298 of Title 19 of the Oklahoma
12		Statutes \$25.00
13	14.	For recording each additional page of an
14		instrument which is nonconforming pursuant to
15		subsection C of Section 298 of Title 19 of
16		the Oklahoma Statutes \$10.00
17	В.	The fees prescribed in paragraph 4 of subsection A of this
18	section	shall be deposited into the County Clerk's Lien Fee Account,
19	created	pursuant to Section 265 of Title 19 of the Oklahoma
20	Statutes	
21	С.	For the purpose of preserving, maintaining, and archiving
22	recorded	instruments including, but not limited to, records
23	manageme	nt, records preservation, automation, modernization, and
24	related	lawful expenditures, in addition to all other fees required

by law, the county clerk shall collect Five Dollars (\$5.00) for each
instrument recorded with the Registrar of Deeds.

3 There is hereby created a fund to be known as the "County D. Clerk's Records Management and Preservation Fund". The fund shall 4 5 be a continuing fund, not subject to fiscal year limitations, and shall consist of the fees and monies accruing to the fund, as 6 prescribed in subsection C of this section with all monies accruing 7 to the fund to be expended by the clerk and not transferred to any 8 9 other fund. The intent of this section is to increase the net 10 funding level available to the county clerk to maintain and preserve public records. 11

E. The fees and costs prescribed in this section shall not apply to child support enforcement offices operated by or on behalf of the Department of Human Services' Child Support Enforcement Division. County clerks shall not charge any fees or costs to such offices, the Division, or the Department.

F. Upon the effective date of this act, no county clerk shall charge or collect any fee for filing a document that may be required related to flood determination for real property whether improved or not. When a flood determination is required, the county shall create a county flood determination form to be filed as a prerequisite for filing the deed. The county clerk is authorized to utilize the information related to flood status of the pertinent

SB1405 HFLR BOLD FACE denotes Committee Amendments.

1	real property stipulated by any lender making such determination
2	when a mortgage filing is made in conjunction with the deed.
3	SECTION 2. This act shall become effective November 1, 2016.
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5	COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT, dated 04/06/2016 - DO PASS.
6	uateu 04/00/2010 - DO FASS.
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