

1 **SENATE FLOOR VERSION**

2 March 31, 2015

3 ENGROSSED HOUSE
4 BILL NO. 1399

By: Murphey and Faught of the
House

5 and

6 Griffin of the Senate

7
8
9 An Act relating to fees; amending 28 O.S. 2011,
10 Section 111, which relates to collection of certain
11 fees by the Secretary of State; limiting fee for
certain documentation for international adoptions;
and providing an effective date.

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

14 SECTION 1. AMENDATORY 28 O.S. 2011, Section 111, is
15 amended to read as follows:

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

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

20 2. For copying any paper or document, One Dollar (\$1.00) per
21 page, provided the minimum charge shall not be less than Two Dollars
22 (\$2.00);

1 3. For filing an effective financing statement in the Office of
2 the Secretary of State pursuant to Section 1-9-320.6 of Title 12A of
3 the Oklahoma Statutes, Ten Dollars (\$10.00);

4 4. For filing a continuation statement, partial release,
5 assignment of or amendment to an effective financing statement filed
6 in the Office of the Secretary of State pursuant to Section 1-9-
7 320.6 of Title 12A of the Oklahoma Statutes, Ten Dollars (\$10.00);

8 5. For filing a termination statement for an effective
9 financing statement filed in the Office of the Secretary of State
10 pursuant to Section 1-9-320.6 of Title 12A of the Oklahoma Statutes,
11 Ten Dollars (\$10.00);

12 6. For registering a buyer of farm products, commission
13 merchant, selling agent or other interested party as provided for in
14 Section 1-9-320.6 of Title 12A of the Oklahoma Statutes, Fifty
15 Dollars (\$50.00) per year;

16 7. For distributing a copy of the master list or portions
17 thereof to registrants, as provided for in Section 1-9-320.6 of
18 Title 12A of the Oklahoma Statutes, in accordance with the following
19 fee schedule. Such fees may be paid annually or semiannually:

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

	Number of Farm	
	Products	Paper
21		
22		
23	(1) 1 to 5 products	\$150 per year
24	(2) 6 to 10 products	\$200 per year

- (3) 11 to 20 products\$250 per year
- (4) over 20 products\$300 per year

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

- | | 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 is authorized to provide for the distribution of the master list or portions

1 thereof to those persons specified in paragraph 7 of
2 this subsection through electronic data equipment or
3 other communication media in such form and manner as
4 is specified by the Secretary of State.

5 b. The Secretary of State is authorized to establish a
6 fee system for such transfer of information pursuant
7 to this paragraph. Such fee shall not exceed the
8 amount necessary to cover the costs of the Secretary
9 of State in providing such transfer of information.

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

16 9. For issuing a written confirmation of the existence or
17 nonexistence of active effective financing statements on file for a
18 debtor in the Office of the Secretary of State, Six Dollars (\$6.00);

19 10. The Secretary of State shall collect a fee of Twenty-five
20 Dollars (\$25.00) for every apostille issued. For the purposes of
21 this paragraph, an apostille is a special certificate attached to a
22 public record, as required by the 1961 Hague Convention, Fed. R.
23 Civ. P. 44 (28 U.S.C.A.), to certify the authenticity of the
24 signature, the capacity in which the person signing the document has

1 acted and, where appropriate, the identity of the seal or stamp
2 which it bears; provided, however, a fee of Ten Dollars (\$10.00)
3 shall be collected for any apostille requested for an international
4 adoption not to exceed One Hundred Dollars (\$100.00) for the
5 adoption of each child; and

6 11. For each service rendered and not specified in this
7 section, such fees as are allowed for similar services in other
8 cases.

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

19 SECTION 2. This act shall become effective November 1, 2015.

20 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
21 March 31, 2015 - DO PASS
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