

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE
FOR
4 SENATE BILL 988

By: Reinhardt

5

6

7 COMMITTEE SUBSTITUTE

8 An Act relating to the Uniform Commercial Code;
9 amending 12A O.S. 2021, Sections 1-9-320.2, 1-9-
10 320.3, 1-9-320.4, 1-9-320.6, as amended by Section 1,
11 Chapter 109, O.S.L. 2022, and 1-9-525 (12A O.S. Supp.
12 2024, Section 1-9-320.6), which relate to secured
13 transactions; transferring certain authority from
14 Secretary of State to Oklahoma County Clerk;
15 directing Oklahoma County Clerk to take certain
16 actions; modifying certain filing procedures;
17 amending 28 O.S. 2021, Section 111, as amended by
18 Section 2, Chapter 109, O.S.L. 2022 (28 O.S. Supp.
19 2024, Section 111), which relates to fees to be
20 charged by Secretary of State; transferring certain
21 fees from Secretary of State to Oklahoma County
22 Clerk; updating statutory language; and providing a
23 conditional effective date.

24 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.

DEFINITIONS; REQUISITES OF AN
EFFECTIVE FINANCING STATEMENT

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

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

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

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

15 (d) "Effective financing statement" means a statement
16 that:

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

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

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

23 (iv) contains:

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

- (B) the name and address of the person indebted to the secured party,
 - (C) the social security number of the debtor or, in the case of a debtor doing business other than as an individual, the Internal Revenue Service taxpayer identification number of such debtor,
 - (D) the farm product name,
 - (E) each county in this state where the farm product is produced or to be produced or a blanket code covering all 77 Oklahoma counties,
 - (F) a description of the farm products subject to the security interest only if needed to distinguish it from other such farm products owned by the same person or persons but not subject to the particular interest; and
 - (G) the crop year, unless every crop of the farm product in question, for the duration of the effective financing statement, is to be 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;

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

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

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

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

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

22 (e) "Farm product" means an agricultural commodity such as
23 wheat, corn, soybeans, or a species of livestock such
24 as cattle, hogs, sheep, horses, or poultry used or

1 produced in farming operations, or a product of such
2 crop or livestock in its unmanufactured state (such as
3 ginned cotton, wool-clip, maple syrup, milk, and
4 eggs), that is in the possession of a person engaged
5 in farming operations.

- 6 (f) "Knows" or "knowledge" means actual knowledge.
7 (g) "Person" means any individual, partnership,
8 corporation, limited liability company, trust, or any
9 other business entity.
10 (h) "Security interest" means an interest in farm products
11 that secures payment or performance of an obligation.
12 (i) "Selling agent" means any person, other than a
13 commission merchant, who is engaged in the business of
14 negotiating the sale and purchase of any farm product
15 on behalf of a person engaged in farming operations.

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

20 SECTION 2. AMENDATORY 12A O.S. 2021, Section 1-9-320.3,

21 is amended to read as follows:

22 Section 1-9-320.3.

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

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

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

Section 1-9-320.4.

PROTECTION OF BUYERS OF FARM PRODUCTS,

COMMISSION MERCHANTS AND SELLING AGENTS

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

(a) (i) the buyer of the farm products, commission merchant,

or selling agent has failed to register with the

Secretary of State Oklahoma County Clerk prior to the purchase of the farm products and the secured party has filed an effective financing statement that covers the farm products being sold; or

(ii) the buyer of farm products, commission merchant or

selling agent receives from the ~~Secretary of State~~

Oklahoma County Clerk written notice as provided in

paragraph (d) or (f) of subsection (4) of Section 1-9-

1 320.6 of this title, and the buyer of farm products,
2 commission merchant or selling agent does not secure a
3 waiver or release of the security interest specified
4 in an effective financing statement from the secured
5 party by performing any payment obligation or
6 otherwise; or

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

10 SECTION 4. AMENDATORY 12A O.S. 2021, Section 1-9-320.6,

11 as amended by Section 1, Chapter 109, O.S.L. 2022 (12A O.S. Supp.

12 2024, Section 1-9-320.6), is amended to read as follows:

13 Section 1-9-320.6.

14 CENTRAL FILING SYSTEM RELATING TO FARM PRODUCTS

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

23 (2) The ~~Secretary of State~~ Oklahoma County Clerk may
24 promulgate, in accordance with ~~the applicable provisions of the~~

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

- 11 (a) consult with filing offices in other jurisdictions
12 that enact substantially this part,
- 13 (b) consult the International Association of Commercial
14 Administrators or any successor organization, and
- 15 (c) take into consideration the rules and practices of,
16 and the technology used by, filing offices in other
17 jurisdictions that enact substantially this part, for
18 the implementation and operation of the central filing
19 system.

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

23 (4) The central filing system shall conform to the following
24 requirements:

- 1 (a) The ~~Secretary of State~~ Oklahoma County Clerk shall
2 record the date and, hour, minute, and second of the
3 filing of each effective financing statement;
- 4 (b) The ~~Secretary of State~~ Oklahoma County Clerk shall
5 compile all effective financing statements into a
6 master list:
7 (i) organized according to farm products;
8 (ii) arranged within each such product:
9 (A) in alphabetical order according to the last
10 name of the individual debtors or, in the
11 case of debtors doing business other than as
12 individuals, the first word in the name of
13 the debtors;
14 (B) in numerical order according to the Social
15 Security number of the individual debtors
16 or, in the case of debtors doing business
17 other than as individuals, the Internal
18 Revenue Service taxpayer identification
19 number of the debtors;
20 (C) geographically by county produced; and
21 (D) by crop year; and
22 (iii) containing the information provided for in
23 subparagraph (iv) of paragraph (d) of Section 1-
24 9-320.2 of this title;

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

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

- 10 (i) the name and address of each registrant;
- 11 (ii) the information on the farm product or products
12 that the registrant is requesting;
- 13 (iii) the name of each county where the product is
14 produced or to be produced, or a blanket code
15 covering all seventy-seven (77) counties of this
16 state; and
- 17 (iv) an authorized signature.

18 (d) (i) A copy of those portions of the master list
19 covering the information requested by a
20 registrant shall be distributed to such
21 registrants by the ~~Secretary of State~~ Oklahoma
22 County Clerk on or before the last business day
23 of each month and shall be presumed to have been

1 received by the third business day of the
2 following month.

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

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

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

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

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

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

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

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

9 ~~(7)~~ (6) An effective financing statement shall not be deemed
10 filed in accordance with the provisions of this section until all
11 fees authorized by Section 111 of Title 28 of the Oklahoma Statutes
12 relating to the filing of the statement are tendered to the
13 ~~Secretary of State~~ Oklahoma County Clerk.

14 ~~(8)~~ (7) The secured party shall file a termination statement
15 within twenty (20) days after there is no outstanding secured
16 obligation or commitment to make advances, incur obligations or
17 otherwise give value. The termination statement shall refer to the
18 unique document ID number. The secured party shall not be required
19 to file a termination statement if the debtor, in writing, addressed
20 to the secured party, requests that a termination not be filed. The
21 request shall be signed by the debtor or an authorized
22 representative and the request may be made at any time prior to the
23 expiration date of an effective financing statement set forth
24 herein. If the affected secured party fails to file a termination

1 statement as required by this subsection, the party shall be liable
2 to the ~~Secretary of State~~ Oklahoma County Clerk for Five Hundred
3 Dollars (\$500.00). In addition the affected secured party shall be
4 liable to the debtor for any loss caused to the debtor by the
5 failure to terminate the effective financing statement.

6 (9) (8) The ~~Attorney General~~ Oklahoma County District Attorney
7 shall be responsible for enforcing the provisions of subsection (8)
8 (7) of this section on behalf of the ~~Secretary of State~~ Oklahoma
9 County Clerk and is authorized to take appropriate actions to
10 collect any penalties owed to the ~~Secretary of State~~ Oklahoma County
11 Clerk pursuant to subsection (8) (7) of this section. When
12 collected, the Oklahoma County District Attorney General shall cause
13 the penalty to be deposited into the ~~Central Filing System Revolving~~
14 ~~Fund~~ Oklahoma County Clerk's Uniform Commercial Code Central Filing
15 Fund created pursuant to ~~Section 276.3 of Title 62 of the Oklahoma~~
16 ~~Statutes~~ Section 1-9-525.1 of Title 12A of the Oklahoma Statutes.

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

22 (10) All active filings on the effective date of this act, as
23 provided in paragraph (1) of this section, shall be filed with the
24 Oklahoma County Clerk's office. Each active filing that is filed

1 pursuant to the requirements of this paragraph shall be accompanied
2 with a transition document that shall be provided by the Oklahoma
3 County Clerk's office. The Oklahoma County Clerk's office shall
4 charge no fee for active filings that are migrated to the system
5 maintained by the Oklahoma County Clerk.

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

8 Section 1-9-525.

9 FEES

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

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

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

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

21 (c) The fee for responding to a request for information from
22 the filing office in any medium designated by the filing office,
23 including issuing a certificate showing whether there is on file any

1 financing statement naming a particular debtor, is Ten Dollars
2 (\$10.00) for each debtor.

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

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

14 (f) The fee for providing certified copies shall be One Dollar
15 (\$1.00) per page regardless of medium.

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

19 (1) Five Hundred Dollars (\$500.00) for the initial database
20 history.

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

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

23 (h) The filing office may accept payment for fees by automated
24 clearing house or by a nationally recognized debit or credit card.

1 If payment is made by a credit or debit card, the filing office may
2 add an amount equal to the amount of the service charge incurred for
3 the acceptance of the payment. The filing office may enter into
4 contracts for credit card processing services according to
5 applicable county purchasing laws ~~or may enter into agreements with~~
6 ~~the State Treasurer to participate in any credit card processing~~
7 ~~agreements entered into by the State Treasurer.~~

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

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

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

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

22 (4) For registering a buyer of farm products, commission
23 merchant, selling agent, or other interested party as provided for
24 in Section 1-9-320.6 of this title, Fifty Dollars (\$50.00) per year.

1 The registration fee provided for in this paragraph shall not apply
2 if the buyer of farm products, commission merchant, selling agent,
3 or other interested party as provided for in Section 1-9-320.6 of
4 this title accesses the master list through Internet download;
5 (5) For distributing a copy of the master list or portions
6 thereof to registrants, as provided for in Section 1-9-320.6 of this
7 title, in accordance with the following fee schedule. Such fees may
8 be paid annually or semiannually:

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

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

16 (B) For information requested for six to twenty-five
17 counties:

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

22 (iii) over 20 products\$300 per year
23 (C) For information requested for twenty-six to fifty
24 counties:

1	<u>Number of Farm</u>	
2	<u>Products</u>	<u>Paper</u>
3	(i) <u>1 to 10 products</u>	<u>\$250 per year</u>
4	(ii) <u>11 to 20 products</u>	<u>\$300 per year</u>
5	(iii) <u>over 20 products</u>	<u>\$350 per year</u>

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

7	<u>Number of Farm</u>	
8	<u>Products</u>	<u>Paper</u>
9	(i) <u>1 to 10 products</u>	<u>\$300 per year</u>
10	(ii) <u>11 to 20 products</u>	<u>\$350 per year</u>
11	(iii) <u>over 20 products</u>	<u>\$400 per year;</u>

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

21 (B) The Oklahoma County Clerk is authorized to establish a
 22 fee system for such transfer of information pursuant
 23 to this paragraph. Such fee shall not exceed the

1 amount necessary to cover the costs of the Secretary
2 of State in providing such transfer of information.

3 (C) In providing for the transfer of the information
4 specified by this paragraph, the Oklahoma County Clerk
5 shall ensure the integrity of confidential information
6 within the Office of the Secretary of State through
7 data security measures, internal controls, and
8 appropriate database management; and

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

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

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

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

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

24

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

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

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

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

21 6. For registering a buyer of farm products, commission
22 merchant, selling agent or other interested party as provided for in
23 Section 1-9-320.6 of Title 12A of the Oklahoma Statutes, prior to
24 the effective date of the central filing system provided in Section

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

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

14 | a. For information requested for five or less counties:

15 | Number of Farm

16 | Products Paper

- 17 | (1) 1 to 5 products\$150 per year
18 | (2) 6 to 10 products\$200 per year
19 | (3) 11 to 20 products\$250 per year
20 | (4) over 20 products\$300 per year

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

23 | Number of Farm

24 | Products Paper

- 25 | (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 communication media in such form and manner as is specified by the Secretary of State. The Secretary of

1 State shall not collect a fee for distribution of the
2 master list or portions thereof through Internet
3 download.

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

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

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

23 10. The Secretary of State shall collect a fee of Twenty-five
24 Dollars (\$25.00) for every apostille issued. For the purposes of

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

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

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

23 SECTION 7. This act shall become effective one hundred eighty
24 (180) days from the certification of the central filing system by

1 the USDA, pursuant to the implementation effective date set forth in
2 Section 1-9-320.6 of Title 12A of the Oklahoma Statutes. Upon the
3 occurrence of such implementation, the Oklahoma County Clerk shall
4 issue a formal notification to the President Pro Tempore of the
5 Senate, the Speaker of the House of Representatives, the Governor,
6 and the Secretary of State indicating that the contingency has been
7 met and the amendments shall take effect.

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