



# LARENA ELLIS COOK

Delaware County Assessor

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Location:  
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## **Title 28. Chapter 1-, Section 60- Uniform Flat Fees for Furnishing Records Available for Copying**

All county assessors shall charge and collect the following flat fees to be uniform throughout the state, and the county assessor shall not be required to itemize or charge these fees pursuant to any other schedule, except as specifically provided by law:

For furnishing all records available for copying; in paper form and in a size 8 1/2" x 14" or smaller, and in one color on white paper, per page the fee shall be as provided in the Oklahoma Open Records Act, Section [24A.1](#) et seq. of Title 51 of the Oklahoma Statutes;

For furnishing standard maps; in paper form and in one color on white paper or blue line, per map and in the following standard sizes when available:

1. `A' size approximately 8 1/2" x 11"..... \$5.00
2. `B' size approximately 11" x 17"  
`C' size approximately 17" x 22"
3. `D' size approximately 22" x 34"..... \$7.00  
`E' size approximately 34" x 44"..... \$10.00

Individual property owners obtaining records for their own records shall be exempt from the provisions of this section.

## **Oklahoma Open Records Act, Section 24A.1 et seq. of Title 51 of the Oklahoma Statutes**

Paragraph 3. Any request for a record which contains individual records of persons, and the cost of copying, reproducing or certifying each individual record is otherwise prescribed by state law, the cost may be assessed for each individual record, or portion thereof requested as prescribed by state law. Otherwise, a public body may charge a fee only for recovery of the reasonable, direct costs of record copying, or mechanical reproduction. Notwithstanding any state or local provision to the contrary, in no instance shall the record copying fee exceed twenty-five cents (\$0.25) per page for records having the dimensions of eight and one-half (8 1/2) by fourteen (14) inches or smaller, **or a maximum of One Dollar (\$1.00) per copied page for a certified copy.** However, if the request:

- a. is solely for commercial purpose, or
- b. would clearly cause excessive disruption of the essential functions of the public body,

then the public body may charge a reasonable fee to recover the direct cost of record search and copying; however, publication in a newspaper or broadcast by news media for news purposes shall not constitute a resale or use of a record for trade or commercial purpose and charges for providing copies of electronic data to the news media for a news purpose shall not exceed the direct cost of making the copy. The fee charged by the Department of Public Safety for a copy in a computerized format of a record of the Department shall not exceed the direct cost of making the copy unless the fee for the record is otherwise set by law.

Any public body establishing fees under this act shall post a written schedule of the fees at its principal office and with the county clerk.

In no case shall a search fee be charged when the release of records is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

The fees shall not be used for the purpose of discouraging requests for information or as obstacles to disclosure of requested information.



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06/26/2015

## RECOMMENDATIONS:

1. County Assessors are not required by law under the Open Records Act or otherwise to produce information in a customized format. They are only obligated to produce the data in the manner in which it is maintained. Therefore, an easy solution for the time issues faced by the Assessors would be to stop filling custom data requests.
2. For County Assessors who still wish to provide custom data request services, they MUST charge for their time and are allowed to by statute. All custom data requests should be estimated and billed by the hour. A reasonable hourly fee for such custom data searches is \$50.00 per hour based upon the data and testimony of the county assessors. It would be recommended that all custom requests start with a minimum \$50.00 search charge collected up front and for the Assessor to let customers know up front the per hour search charge and an estimate of that charge before beginning customize search requests.
3. Based upon the evidence reviewed, the case law is the only verified documented evidence of costs of actual production provided to the sub-sub committee. As such, it is recommended that a "data dump" fee of \$50.00 per hour be the reasonable amount assessors can charge for a full data dump.
4. It is recommended that Assessors begin to track actual costs of manpower, IT support, IT costs that go into a full "data dump" and present those numbers to the committee yearly so that the costs can be adjusted to reflect actual costs of production as required by statute.
5. The statute passed controls over the Open Records Act. However, the statutory provisions of 68 O.S. § 2864 indicate only the actual cost of reproduction of the record can be charged and the data reviewed by the sub-sub committee supports a reasonable fee of \$50.00 per hour for custom requests and \$50.00 per hour for a "data dump" request.

**Per the above Recommendations during the 2011 legislative session pursuant to Senate Bill 105 which amended 68 O.S. § 2864:**

**The Delaware County Assessor's fee schedule for data exports is \$50.00 per hour and /or \$50.00 per "data dump" request.**

Larena Ellis Cook  
Delaware County Assessor