

TITLE 5. OKLAHOMA ABSTRACTORS BOARD
CHAPTER 11. ADMINISTRATION OF ABSTRACTORS ACT
(based on a January 15, 2015 publication date)

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

5:11-5-3. Preparation of abstracts

(d) **Federal court certificate.** Upon request of a consumer, a holder of a certificate of authority in ~~Muskogee, Okmulgee, Oklahoma, and Tulsa counties~~ may certify to the records of the Clerk of the United States District Court and the Clerk of the United States Bankruptcy Court for such federal judicial districts ~~located in such counties~~ for the time period covered by the certification, that disclose:

- (1) executions, court proceedings, pending suits and bankruptcy proceedings in said courts affecting title to the subject property; and
- (2) judgments or transcripts of judgments filed against any of the parties appearing within the chain of title. [Revised]

SUMMARY:

The proposed revision to Subchapter 5 is intended to allow all abstract companies in the State of Oklahoma to prepare Federal Court Certificates instead of restricting that function to only the abstract companies in the counties in which Federal or Bankruptcy Courts are located. Federal records are now available online through "Pacer" at www.uscourts.gov, giving abstract companies in all 77 counties the ability to certify to the records of the Clerk of the United States District Court as well as the United States Bankruptcy Court. Up until now, only the counties that had those courts located within the county have been able to perform this action.

AUTHORITY:

Oklahoma Abstractors Act, 1 O.S. §§20 through 43.

COMMENT PERIOD:

Persons may submit oral or written comments to Glynda Reppond, Executive Director, Oklahoma Abstractors Board, 421 NW 13th Street, Suite 180, Oklahoma City, Oklahoma, 73103, (405) 522-5019, FAX (405) 522-5503 or via electronic mail to glynda.reppond@abstract.ok.gov during the period from January 16, 2015 to no later than 9:00 a.m. on February 17, 2015.

PUBLIC HEARING:

A public hearing will be held at 1:00 p.m. on February 17, 2015, in the Oklahoma Abstractors Board conference room located in the Abstractors Board office, 421 NW 13th Street, Suite 180, Oklahoma City, Oklahoma.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing from January 16 to February 17, 2015 to Glynda Reppond, Executive Director, Oklahoma Abstractors Board, 421 NW 13th Street, Suite 180, Oklahoma City, Oklahoma, 73103, (405) 522-5019, FAX (405) 522-5503 or via electronic mail to glynda.reppond@abstract.ok.gov.

COPIES OF PROPOSED RULES:

Copies of the rules may be obtained by visiting www.abstract.ok.gov or contacting Glynda Reppond, Executive Director, Oklahoma Abstractors Board, 421 NW 13th Street, Suite 180, Oklahoma City, Oklahoma, 73103 (405) 522-5019, FAX (405) 522-5503 or via electronic mail to glynda.reppond@abstract.ok.gov.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S. §303(D), a rule impact statement is available at the above website and address.

CONTACT PERSON:

Glynda Reppond, (405) 522-5019, glynda.reppond@abstract.ok.gov.