

HB1260\_L.029

## SENATE COMMITTEE OF REFERENCE REPORT

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 Chairman of Committee

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 Date
Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB09-1260 be amended as follows:

- 1 Amend reengrossed bill, page 6, strike line 23 and substitute "SECTION
- 2 15-22-106 (1) AND THE FORM IS IN COMPLIANCE WITH THE REQUIREMENTS
- 3 OF SECTION 30-10-406 (3), C.R.S.;"
- 4 Page 7, line 1, strike "FILED" and substitute "RECORDED";
- 5 line 9, strike "FILED" and substitute "RECORDED".
- 6 Page 13, line 1, strike "UPON FILING AND REGISTRATION WITH"
- 7 and substitute "WHEN RECEIVED FOR RECORDING BY";
- 8 line 6, strike "FILING" and substitute "RECORDING";
- 9 line 9, strike "FILED" and substitute "RECORDED".
- 10 Page 14, line 5, strike "**Filing**" and substitute "**Recording**";
- 11 line 7, strike "FILED" and substitute "RECORDED";
- 12 strike lines 10 and 11 and substitute the following:
- 13 "DATE AND TIME AS RECEIVED FOR RECORDING BY THE COUNTY CLERK
- 14 AND RECORDER. THE COUNTY";
- 15 line 12, strike "FILING FEE OF THIRTY DOLLARS, AS" and substitute
- 16 "RECORDING FEE";



- 1 line 13, strike "PROVIDED IN SECTION 30-1-103, C.R.S.";
- 2 line 14, strike "COUNTY AND" and substitute "COUNTY, A FEE";
- 3 line 16, strike "FILING WITH THE COUNTY." and substitute "RECORDING  
4 WITH THE COUNTY, AND A FEE FOR TAKING ACKNOWLEDGMENTS, IF  
5 APPLICABLE, AS PROVIDED IN SECTION 30-1-103, C.R.S.";
- 6 strike lines 19 through 25 and substitute the following:
- 7 "30-1-119, C.R.S. THE COUNTY CLERK AND RECORDER MAY REQUIRE THE  
8 PERSON RECORDING THE DESIGNATED BENEFICIARY AGREEMENT TO  
9 INDICATE THE MAILING ADDRESS TO WHICH THE ORIGINAL DOCUMENT  
10 SHOULD BE RETURNED AFTER RECORDING.
- 11 (2) THE CLERK AND RECORDER OF THE COUNTY IS ENCOURAGED TO  
12 MAKE AVAILABLE COPIES OF THE STATUTORY FORMS AS PRESCRIBED IN  
13 SECTIONS 15-22-106 AND 15-22-111.
- 14 (3) THE CLERK AND RECORDER OF THE COUNTY SHALL HAVE THE  
15 FOLLOWING DUTIES:
- 16 (a) TO INDICATE ON THE DESIGNATED BENEFICIARY AGREEMENT";
- 17 line 27, strike "FILED" and substitute "RECORDED".
- 18 Page 15, line 1, strike "(c)" and substitute "(b)" and strike "FILED" and  
19 substitute "RECORDED";
- 20 line 3, strike "FILING;" and substitute "RECORDING;"
- 21 line 4, strike "(d)" and substitute "(c)";
- 22 line 26, strike "FILED" and substitute "RECORDED".
- 23 Page 16, line 1, strike "FILING" and substitute "RECORDING";
- 24 line 3, strike "FILED." and substitute "RECORDED.";
- 25 strike lines 4 and 5 and substitute the following:

1 "THE REVOCATION SHALL BE EFFECTIVE ON THE DATE AND TIME THE  
2 REVOCATION IS RECEIVED FOR RECORDING BY THE COUNTY CLERK AND  
3 RECORDER. THE CLERK AND RECORDER SHALL ISSUE A";

4 line 6, strike "FILING" and substitute "RECORDING";

5 strike lines 9 and 10 and substitute the following:

6 "(2) THE COUNTY CLERK AND RECORDER SHALL ASSESS FEES, AS  
7 PROVIDED IN SECTION 30-1-103, C.R.S., FOR RECORDING A";

8 line 12, strike "AGREEMENT." and substitute "AGREEMENT, PLUS AN  
9 ADDITIONAL AMOUNT TO COVER THE COST OF FIRST CLASS POSTAGE FOR  
10 MAILING A CERTIFIED COPY OF THE REVOKED DESIGNATED BENEFICIARY  
11 AGREEMENT TO THE OTHER PARTY."

12 Page 17, line 3, strike "FILED" and substitute "RECORDED";

13 line 4, after the period insert "THE INDEXING FILE NUMBER OF THE  
14 DESIGNATED BENEFICIARY AGREEMENT IS \_\_\_\_\_.";

15 strike line 6 and substitute the following:

16 "TIME THAT THIS REVOCATION IS RECEIVED FOR RECORDING BY THE CLERK  
17 AND RECORDER";

18 line 20, strike "FILED" and substitute "RECORDED".

19 Page 25, line 23, strike "FILED" and substitute "RECORDED".

20 Page 33, strike lines 8 through 17 and substitute the following:

21 "SECTION 17. 30-10-406, Colorado Revised Statutes, is  
22 amended BY THE ADDITION OF A NEW SUBSECTION to read:

23 **30-10-406. County clerk and recorder - duties - filing**  
24 **requirements.** (4) THE COUNTY CLERK AND RECORDER SHALL PERFORM  
25 THE DUTIES PRESCRIBED IN ARTICLE 22 OF TITLE 15, C.R.S., WITH RESPECT  
26 TO THE RECORDING AND PROCESSING OF DESIGNATED BENEFICIARY  
27 AGREEMENTS AND REVOCATIONS OF SUCH AGREEMENTS."

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