

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 14-0521
Prime Sponsor(s): Rep. Pabon

Date: January 16, 2014
Bill Status: House Finance
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SHORT TITLE: RECORDING OF DEEDS & OTHER LEGAL DOCUMENTS

Fiscal Impact Summary	FY 2014-2015	FY 2015-2016
State Revenue		
State Expenditures	Minimal impact. See State Expenditures section.	
FTE Position Change		
Appropriation Required: None		

Summary of Legislation

The bill amends several statutory provisions related to the recording of deeds and other legal documents by a county clerk and recorder. Specifically, the bill:

- changes the fee amount imposed by a county clerk for the registration of bonds issued by school districts;
- allows applications for a marriage or civil union license to be accessed as public records;
- allows abstractors and title insurance personnel to subscribe to receive bulk document filings from the county clerk on a basis other than annually;
- requires that all documents received for filing and recording by the county clerk be legible;
- clarifies when a document is considered to be received, accepted, and recorded by the county clerk and prescribes the processing steps that must be followed;
- exempts the Department of Local Affairs (DOLA) from paying a recording fee when filing an order for the dissolution of a special district, if the special district has no funds to pay the fee;
- provides that a verification of death document may be filed with the county clerk in lieu of a death certificate in proceedings dealing with the real property of a deceased person;
- permits the county clerk to retain an original deed of trust if the release of the deed of trust is recorded electronically; and
- expands how county clerks may record the payment of documentary fees.

State Expenditures

The bill is expected to reduce state expenditures by a minimal amount. Under current law, the dissolution of a special district must be recorded by the office of a county clerk and recorder in each county in which the special district exists. The bill authorizes the DOLA to file an exemption from document recording fees if the special district does not have funds to pay the fees.

Local Government Impact

Under this bill, clerk and recorders' offices are required to make changes to some of the existing filing and record-keeping processes. It is assumed updating processes will streamline the recording activities of the clerk's office, and possibly reduce workload and time required for processing.

The bill allows the DOLA to file an exemption to recording fees when a special district is dissolved, if no funds remain in the special district to pay the fees. This may decrease county clerk and recorder revenue collections by a minimal and indeterminate amount.

Effective Date

The bill takes effect July 1, 2014.

State and Local Government Contacts

Clerk and Recorders

Counties

Local Affairs