

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Senate Bill 321 be amended to read as follows:

- 1           Page 5, after line 19, begin a new paragraph and insert:  
2           "SECTION 3. IC 36-2-7-10.1 IS ADDED TO THE INDIANA  
3           CODE AS A NEW SECTION TO READ AS FOLLOWS  
4           [EFFECTIVE JULY 1, 1999]: **Sec. 10.1. (a) As used in this section,**  
5           **"bulk form" means:**  
6                 **(1) a copy of all recorded documents received by the county**  
7                 **recorder for recording in a calendar day, week, month, or**  
8                 **year;**  
9                 **(2) the indices for finding, retrieving, and viewing all recorded**  
10                **documents received by the county recorder for recording in**  
11                **a calendar day, week, month, or year; or**  
12                **(3) both subdivisions (1) and (2).**  
13           **(b) As used in this section, "bulk user" means an individual, a**  
14           **corporation, a partnership, a limited liability company, or an**  
15           **unincorporated association that purchases bulk form copies.**  
16           **(c) As used in this section "copy" means:**  
17                 **(1) duplicating electronically stored data onto a disk, tape,**  
18                 **drum, or any other medium of electronic data storage; or**  
19                 **(2) reproducing on microfilm.**  
20           **(d) As used in this section, "indices" means all of the indexing**  
21           **information used by the county recorder for finding, retrieving,**  
22           **and viewing a recorded document.**  
23           **(e) As used in this section, "recorded document" means a**  
24           **writing, a paper, a document, a plat, a map, a survey, or anything**  
25           **else received at any time for recording or filing in the public**  
26           **records maintained by the county recorder.**  
27           **(f) The county recorder shall collect the fees prescribed by this**  
28           **section for the sale of recorded documents in bulk form copies to**  
29           **bulk users of public records. The county recorder shall pay the fees**  
30           **into the county treasury at the end of each calendar month. The**  
31           **fees prescribed and collected under this section supersede all other**  
32           **fees for bulk form copies required by law to be charged for services**  
33           **rendered by the county recorder to bulk users.**

1           **(g) The county recorder shall charge bulk users the following**  
 2 **for bulk form copies:**

3           **(1) Five cents (\$.05) per page for a recorded document,**  
 4 **including the index of the instrument number or book and**  
 5 **page, or both, for retrieving the recorded document.**

6           **(2) Five cents (\$.05) per recorded document for a copy of the**  
 7 **other indices used by the county recorder for finding,**  
 8 **retrieving, and viewing a recorded document.**

9           **(h) The county recorder shall provide bulk users with bulk form**  
 10 **copies in the format or medium in which the county recorder**  
 11 **maintains the recorded documents and indices. If the county**  
 12 **recorder maintains the recorded documents and indices in more**  
 13 **than one (1) format or medium, the bulk user may select the**  
 14 **format or medium in which the bulk user shall receive the bulk**  
 15 **form copies. If the county recorder maintains the recorded**  
 16 **documents and indices for finding, retrieving, and viewing the**  
 17 **recorded documents in an electronic or a digitized format, a**  
 18 **reasonable effort shall be made to provide the bulk user with bulk**  
 19 **form copies in a standard, generally acceptable, readable format.**  
 20 **Upon request of the bulk user, the county recorder shall provide**  
 21 **the bulk form copies to the bulk user within a reasonable time after**  
 22 **the recorder's archival process is completed and bulk form copies**  
 23 **become available in the office of the county recorder.**

24           **(i) Bulk form copies under this section may be used:**

25           **(1) in the ordinary course of the business of the bulk user; and**

26           **(2) by customers of the bulk user.**

27 **The bulk user may charge its customers a fee for using the bulk**  
 28 **form copies obtained by the bulk user. However, bulk form copies**  
 29 **obtained by a bulk user under this section may not be resold.**

30           **(j) All revenue generated by the county recorder under this**  
 31 **section shall be deposited in the recorder's record perpetuation**  
 32 **fund and used by the recorder in accordance with**  
 33 **IC 36-2-7-10(c)."**

(Reference is to SB 321 as printed February 26, 1999.)

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Senator MERRITT