

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Governmental and Regulatory Affairs, to which was referred Senate Bill No. 321, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, delete lines 1 through 17.
- 2 Delete page 2.
- 3 Page 3, delete lines 1 through 2.
- 4 Page 3, line 27, after "labor costs" delete "," and insert "**or**".
- 5 Page 3, line 27, delete ", or profit".
- 6 Page 5, after line 2, begin a new paragraph and insert:
- 7 "SECTION 3. IC 36-2-7-10 IS AMENDED TO READ AS
- 8 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 10. (a) The county
- 9 recorder shall tax and collect the fees prescribed by this section for
- 10 recording, filing, copying, and other services the recorder renders, and
- 11 shall pay them into the county treasury at the end of each calendar
- 12 month. The fees prescribed and collected under this section supersede
- 13 all other recording fees required by law to be charged for services
- 14 rendered by the county recorder.
- 15 (b) The county recorder shall charge the following:
- 16 (1) Six dollars (\$6) for the first page and two dollars (\$2) for each
- 17 additional page of any document the recorder records if the pages
- 18 are not larger than eight and one-half (8 1/2) inches by fourteen
- 19 (14) inches.

- 1 (2) Fifteen dollars (\$15) for the first page and five dollars (\$5) for
 2 each additional page of any document the recorder records, if the
 3 pages are larger than eight and one-half (8 1/2) inches by fourteen
 4 (14) inches.
- 5 (3) For attesting to the release, partial release, or assignment of
 6 any mortgage, judgment, lien, or oil and gas lease contained on a
 7 multiple transaction document, the fee for each transaction after
 8 the first is the amount provided in subdivision (1) plus the amount
 9 provided in subdivision (4) and one dollar (\$1) for marginal
 10 mortgage assignments or marginal mortgage releases.
- 11 (4) One dollar (\$1) for each cross-reference of a recorded
 12 document.
- 13 (5) Three dollars (\$3) per page for furnishing typewritten copies
 14 of records.
- 15 (6) One dollar (\$1) per page not larger than eight and one-half (8
 16 1/2) inches by fourteen (14) inches for furnishing copies of records
 17 produced by a photographic process, and two dollars (\$2) per
 18 page that is larger than eight and one-half (8 1/2) inches by
 19 fourteen (14) inches.
- 20 (7) Five dollars (\$5) for acknowledging or certifying to a
 21 document plus fifty cents (\$0.50) per page for proofreading any
 22 copy presented for certification.
- 23 (8) One dollar (\$1) for each deed the recorder records, in addition
 24 to other fees for deeds, for the county surveyor's corner
 25 perpetuation fund for use as provided in IC 32-1-1-10 or
 26 IC 36-2-12-11(e).
- 27 (9) A fee in an amount authorized under IC 5-14-3-8 for
 28 transmitting a copy of a document by facsimile machine.
- 29 (10) A fee in an amount authorized by an ordinance adopted by
 30 the county legislative body for duplicating a computer tape, a
 31 computer disk, an optical disk, microfilm, or similar media. This
 32 fee may not cover making a handwritten copy or a photocopy or
 33 using xerography or a duplicating machine.
- 34 (11) A supplemental fee **of three dollars (\$3)** for recording a
 35 document ~~in an amount authorized by an ordinance adopted by~~
 36 ~~the county legislative body~~ that
 37 (A) is paid at the time of recording. ~~and~~
 38 (B) ~~does not exceed three dollars (\$3) for recording a single~~

1 ~~document.~~

2 The fee under this subdivision is in addition to other fees
3 provided by law for recording a document.

4 (c) The county treasurer shall establish a recorder's records
5 perpetuation fund. All revenue received under subsection (b)(5), (b)(6),
6 (b)(9), (b)(10), and (b)(11) shall be deposited in this fund. The county
7 recorder may use any money in this fund without appropriation for the
8 preservation of records and the improvement of record keeping systems
9 and equipment.

10 (d) As used in this section, "record" or "recording" includes the
11 functions of recording, filing, and filing for record.

12 (e) The county recorder shall post the fees set forth in subsection (b)
13 in a prominent place within the county recorder's office where the fee
14 schedule will be readily accessible to the public.

15 (f) The county recorder may not tax or collect any fee for:

16 (1) recording an official bond of a public officer, a deputy, an
17 appointee, or an employee; or

18 (2) performing any service under any of the following:

19 (A) IC 6-1.1-22-2(c).

20 (B) IC 8-23-7.

21 (C) IC 8-23-23.

22 (D) IC 10-5-4-3.

23 (E) IC 10-5-7-1(a).

24 (F) IC 12-14-13.

25 (G) IC 12-14-16.

- 1 (g) The state and its agencies and instrumentalities are required to
- 2 pay the recording fees and charges that this section prescribes."
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 321 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

Merritt

Chairperson