

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 83

BY BUSINESS COMMITTEE

AN ACT

RELATING TO RECORDER'S FEES; AMENDING SECTION 31-3205, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE FEES A COUNTY RECORDER MAY RECEIVE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 31-3205, Idaho Code, be, and the same is hereby amended to read as follows:

31-3205. RECORDER'S FEES. (1) The county recorder is allowed and may receive for his services the following fees to be paid him by the party procuring his services:

(a) Except as otherwise set forth in this section, for recording or filing every instrument, paper or notice, for the first or correction, regardless of page count \$130.00
For each additional page \$3.00

(b) For recording each of the following types of instruments, provided such instrument is thirty (30) pages or less:

(i) Deeds, grants and transfers of title to real property \$15.00

(ii) Trust deeds or mortgages of real property, including fixture filings, security agreements and assignments of leases and rents if contained within the same instrument for recording \$45.00

(iii) Reconveyances of trust deeds, reconveyances of trust deeds that include a substitution of trustee if contained within the same instrument for recording, and releases of mortgages . \$15.00

(iv) Substitution of a trustee \$10.00

(v) Powers of attorney \$25.00

For each additional page beyond thirty (30) pages for an instrument listed in this paragraph \$3.00

(e) For electronic copies (as defined in subsection (2) of this section) requested on a recurring basis, for each page or image 5¢

(dc) For copies of any record or paper, for each page \$1.00

(ed) For each certificate under seal, when required \$1.00

(f) For release or assignment where more than one (1) document is released or assigned in the same instrument, for each additional release or assignment \$1.00

(ge) For recording or filing every town plat or map, for the first one hundred (100) lots or less \$130.00

And for each additional lot 5¢

(h) For taking acknowledgments, including seal \$1.00

(if) For filing a survey, for each page \$530.00

(jg) For making conforming a copy of a survey or highway right-of-way plat, for each page \$41.00

- 1 (k) For issuing marriage license, filing, recording and indexing the
- 2 certificate of marriage and taking and filing affidavits required in
- 3 issuance of the license \$11.00
- 4 (l) For administering an oath, including jurat \$1.00
- 5 And certifying the same when required, an additional sum of \$1.00
- 6 ~~(m) For comparing and certifying a prepared copy of a file or record in~~
- 7 ~~his office, for each page 50¢~~
- 8 (n) For each certificate under seal, there shall be an additional fee
- 9 of \$1.00

10 (2) Electronic copies shall include copies provided via internet down-
 11 load, on a compact disc, zip disc, floppy disc, or other electronic means.
 12 The county recorder shall provide electronic copies if the record is main-
 13 tained in electronic form and if the person specifically requests an elec-
 14 tronic copy.

15 (3) For duplication of recorded documents in paper, microfilm or micro-
 16 fiche format requested on a recurring basis in excess of one hundred (100)
 17 pages, the fee shall be negotiated between the county recorder and the pur-
 18 chaser of records. The fee shall not exceed the costs to the county recorder
 19 for the retrieval and duplication of the record. These negotiated fees shall
 20 be recommended by the county recorder and approved by the board of county
 21 commissioners. Any existing agreements for duplication of paper, microfilm
 22 or microfiche documents in excess of one hundred (100) pages are hereby rat-
 23 ified and approved. Any negotiated fees shall remain in effect until such
 24 time as either party requests a review of the fee.

25 (4) All instruments delivered to the county recorder for record shall
 26 be recorded rather than filed with the exception of plats, surveys, corner-
 27 stone markers and instruments under the uniform commercial code.

28 (5) For all other services as recorder, not enumerated herein, the fee
 29 fixed in the statute requiring the service or the same fee as allowed the
 30 clerk of the district court for like service.

31 (6) A page shall not exceed fourteen (14) inches in length nor eight and
 32 one-half (8 1/2) inches in width. Each page shall be typewritten or be in
 33 legible writing. The recording fee to be charged for maps, sketches, draw-
 34 ings or other instruments except plats larger than the size permitted in this
 35 subsection for a page shall be two cents (2¢) per square inch.