

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 133

BY LOCAL GOVERNMENT COMMITTEE

AN ACT

RELATING TO COUNTY RECORDER FEES; AMENDING SECTION 31-3205, IDAHO CODE, TO REVISE FEES THAT MAY BE CHARGED BY A COUNTY RECORDER TO A PARTY PROCURING HIS SERVICES AND TO MAKE TECHNICAL CORRECTIONS.

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) For recording every instrument, paper or notice, for the first page \$10.00
- For each additional page \$ 3.00
- (b) For electronic copies (as defined in subsection (2) of this section) requested on a recurring basis, for each page or image \$.05
- (c) For copies of any record or paper, for each page \$ 1.00
- (d) For each certificate under seal, when required \$ 1.00
- (e) 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
- (f) For recording every town plat or map, for first one hundred (100) lots or less \$11.00
- And for each additional lot \$.05
- (g) For taking acknowledgments, including seal \$ 1.00
- (h) ~~For recording the location notice or amended location notice, of a mining claim, or for recording and indexing each notice, for each page \$ 3.00~~
- ~~(i) For recording affidavit of labor of mining claims for one (1) mining claim \$ 4.00~~
- ~~Plus an additional charge for each claim in excess of one (1) \$.50~~
- ~~(j) For filing a survey, for each page \$ 5.00~~
- ~~(k) For making a copy of a survey or highway right-of-way plat .. \$ 4.00~~
- ~~(l) For issuing marriage license, filing, recording and indexing the certificate of marriage and taking and filing affidavits required in issuance of the license \$11.00~~
- ~~(m) For administering an oath, including jurat \$ 1.00~~
- ~~And certifying the same when required an additional sum of \$ 1.00~~
- ~~(n) For comparing and certifying a prepared copy of a file or record in his office, for each page \$.50~~
- ~~(o) For each certificate under seal there shall be an additional fee of \$ 1.00~~

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

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

16 (4) All instruments delivered to the county recorder for record shall
17 be recorded rather than filed with the exception of plats, surveys, corner-
18 stone markers and instruments under the Uniform Commercial Code.

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

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