

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 205

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO RECORDER'S FEES; AMENDING SECTION 31-3205, IDAHO CODE, TO PRO-  
VIDE FOR RECORDING FEES FOR CERTAIN INSTRUMENTS.

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, fFor recording every  
instrument, paper or notice, for the first page ..... \$10.00  
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 conveyances of 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, including a substitution of  
trustee if contained within the same instrument for recording, and  
releases of mortgages ..... \$15.00

(iv) Powers of attorney ..... \$25.00

(c) For electronic copies (as defined in subsection (2) of this sec-  
tion) requested on a recurring basis, for each page or image ..... \$ .05

(~~e~~d) For copies of any record or paper, for each page ..... \$ 1.00

(~~a~~e) For each certificate under seal, when required ..... \$ 1.00

(~~e~~f) For release or assignment where more than one (1) document is re-  
leased or assigned in the same instrument, for each additional release  
or assignment ..... \$ 1.00

(~~f~~g) For recording every town plat or map, for first one hundred (100)  
lots or less ..... \$11.00

And for each additional lot ..... \$ .05

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

(~~h~~i) For filing a survey, for each page ..... \$ 5.00

(~~i~~j) For making a copy of a survey or highway right-of-way plat .. \$ 4.00

(~~j~~k) 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

(~~k~~l) For administering an oath, including jurat ..... \$ 1.00

And certifying the same when required an additional sum of ..... \$ 1.00

(~~l~~m) For comparing and certifying a prepared copy of a file or record in  
his office, for each page ..... \$ .50

1           (mn) For each certificate under seal there shall be an additional fee  
2           of ..... \$ 1.00

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

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

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

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

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