

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 348

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

1 RELATING TO THE UNIFORM REAL PROPERTY ELECTRONIC RECORDING ACT; AMENDING
2 SECTION 31-2904, IDAHO CODE, TO PROVIDE THAT THE SECRETARY OF STATE
3 SHALL ESTABLISH STANDARDS FOR RECORDING OF CERTAIN DOCUMENTS; AND
4 REPEALING SECTION 31-2905, IDAHO CODE, RELATING TO THE ELECTRONIC
5 RECORDING COMMISSION.
6

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

8 SECTION 1. That Section 31-2904, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 31-2904. RECORDING OF DOCUMENTS. (1) In this section, "paper docu-
11 ment" means a document that is received by the recorder in a form that is not
12 electronic.

13 (2) A recorder:

14 (a) Who implements any of the functions listed in this section shall do
15 so in compliance with standards established by the ~~electronic record-~~
16 ~~ing commission, as created in section 31-2905, Idaho Code~~ secretary of
17 state;

18 (b) May receive, index, store, archive and transmit electronic docu-
19 ments;

20 (c) May provide for access to, and for search and retrieval of, docu-
21 ments and information by electronic means;

22 (d) Who accepts electronic documents for recording shall continue to
23 accept paper documents as authorized by state law and shall place en-
24 tries for both types of documents in the same index;

25 (e) May convert paper documents accepted for recording into electronic
26 form;

27 (f) May convert into electronic form information recorded before the
28 recorder began to record electronic documents;

29 (g) May accept electronically any fee that the recorder is authorized
30 to collect; and

31 (h) May agree with other officials of a state or a political subdivi-
32 sion thereof, or of the United States, on procedures or processes to fa-
33 cilitate the electronic satisfaction of prior approvals and conditions
34 precedent to recording and the electronic payment of fees.

35 SECTION 2. That Section 31-2905, Idaho Code, be, and the same is hereby
36 repealed.