

**HOUSE . . . . . No. 3773**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Eugene L. O'Flaherty**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to clarify recording requirements at registries of deeds.

PETITION OF:

NAME:

Eugene L. O'Flaherty

DISTRICT/ADDRESS:

2nd Suffolk

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT TO CLARIFY RECORDING REQUIREMENTS AT REGISTRIES OF DEEDS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 36 of the General Laws is hereby amended by striking out section 14 and inserting in  
2 place thereof the following section:

3 Section 14. Each register shall keep a record, in book or electronic form, into which the register  
4 shall enter recording information for all instruments accepted for record, in the order in which  
5 they are received. Prior to accepting an instrument for record, the register shall approve the  
6 instrument by determining that it meets minimum statutory recording requirements. Rejected  
7 instruments shall be promptly returned. Upon acceptance of an instrument, the following  
8 information shall be entered into the record: the day, hour and minute when the register assigns  
9 an instrument number, and/or book and page number as the case may be; the instrument number  
10 and/or book and page number so assigned; the names of the grantors and grantees in the  
11 instrument; the city or town in which the land lies; the name of the person to whom the original  
12 instrument will be returned after being recorded, and the fees received therefor.

13 No instrument shall be considered to have been recorded, until the register approves the  
14 instrument for recording and assigns to the instrument an instrument number, and/or book and

15 page number as the case may be. In order to provide for the orderly recording of instruments  
16 that are delivered or otherwise transmitted to a registry district, including by mail or electronic  
17 means, the secretary of the commonwealth may, by rule, regulation or guideline, establish a  
18 uniform practice for determining the order of receipt by the register.

19 The record maintained by the register shall be open to public inspection during registry business  
20 hours. Any change or correction to said record shall be documented in such a manner that the  
21 fact that there has been a correction, and the nature and date of the correction, shall become part  
22 of the record.