

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 898

Session of
2021INTRODUCED BY TOMLINSON, VOGEL, MENSCH, LAUGHLIN AND AUMENT,
OCTOBER 6, 2021

REFERRED TO LOCAL GOVERNMENT, OCTOBER 6, 2021

AN ACT

1 Amending the act of April 8, 1982 (P.L.310, No.87), entitled "An
2 act establishing fees for services of recorders of deeds in
3 counties of the second A, third, fourth, fifth, sixth,
4 seventh and eighth classes and home rule charter counties of
5 these classes; authorizing a special deed and mortgage
6 recording fee in certain counties; and establishing county
7 demolition funds," further providing for title of act;
8 repealing provisions relating to fee schedule; providing for
9 definitions and for fees for recordation of documents;
10 further providing for County Records Improvement Fund and for
11 county demolition fund; and making related repeals.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. The title of the act of April 8, 1982 (P.L.310,
15 No.87), referred to as the Recorder of Deeds Fee Law, is amended
16 to read:

17 AN ACT

18 Establishing [fees for services of recorders of deeds] a
19 predictable fee for recordation of documents in counties of
20 the second A, third, fourth, fifth, sixth, seventh and eighth
21 classes and home rule charter counties of these classes;
22 authorizing a special deed and mortgage recording fee in

1	Each additional description.....	.50
2	Each additional parcel number.....	.50
3	Declaration of taking or trust.....	11.50
4	Discharge (veteran)	Free
5	Distribution.....	11.50
6	Easements.....	11.50
7	Election to take.....	11.50
8	Extension of mortgage.....	11.50
9	Finance statements.....	9.50
10	Secured transaction.....	9.50
11		on standard
12		form
13	Assignment or release.....	9.50
14		on standard
15		form
16	Continuation.....	9.50
17		on standard
18		form
19	Termination.....	9.50
20		on standard
21		form
22	Finance statement-nonstandard-first supplement	
23	page.....	2.00
24	Each additional supplement page.....	1.00
25	Leases.....	11.50
26	Mortgages.....	11.50
27	Each additional description.....	.50
28	Each additional parcel number.....	.50
29	Mortgage satisfaction.....	5.00
30	Order of court (except to satisfy).....	11.50

1	Order to satisfy lost mortgage.....	11.50
2	Ordinances.....	11.50
3	Power of attorney.....	11.50
4	Release.....	11.50
5	Re-recording.....	11.50
6	Revocation.....	11.50
7	Right-of-way.....	11.50
8	Sheriff's deed.....	11.50
9	Mortgage satisfaction piece.....	11.50
10	Termination of Federal tax lien.....	9.50
11	Filing fee for Act No. 287 of 1974.....	5.00
12	Copy - each township	2.00
13	Preferential assessments under Act No. 319 of	
14	1974.....	11.50
15	Certification and seal.....	1.50
16	Each name over four.....	.50
17	Each page or part over four.....	2.00
18	Each marginal notation.....	2.00
19	State highway and/or mining plans - first page.	10.00
20	Each additional page.....	3.00
21	Each name indexed.....	.50
22	Subdivision plans - fee to be set by recorder of	
23	deeds	
24	Acknowledgments.....	2.00
25	Searches:	
26	Financial statements each debtor.....	5.00
27	Additional fee for each financing statement	
28	found and for each statement of assignment	
29	reported therein.....	1.00
30	Ownership.....	5.00

1	Change of name.....	5.00
2	Mortgage assignment.....	5.00
3	Ancillary transaction.....	5.00
4	Copies:	
5	Per page.....	.50
6	Certification.....	1.50
7	Where no fee is specified the fee shall be set by the	
8	recorder of deeds.]	

9 Section 3. The act is amended by adding sections to read:

10 Section 1.1. The following words and phrases when used in

11 this act shall have the meanings given to them in this section

12 unless the context clearly indicates otherwise:

13 "Document." Any document or instrument, other than a veteran
 14 discharge paper, delivered to a recorder of deeds which is
 15 required by law or is eligible to be recorded in person, by
 16 mail, electronically or in any other manner.

17 "Flat rate." A rate that does not vary based on any factor.

18 "Statutory fee." Any fee, tax or surcharge required by

19 regulation or act of the General Assembly to be collected upon

20 recordation of a document, including, but not limited to, the

21 surcharges imposed under section 1795.1-E of the act of April 9,

22 1929 (P.L.343, No.176), known as The Fiscal Code.

23 Section 1.2. (a) The fees of the recorders of deeds in

24 counties of the second A, third, fourth, fifth, sixth, seventh

25 and eighth classes, or equivalent officers in home rule charter

26 counties, for the recordation of a document shall be imposed at

27 a flat rate not to exceed \$50 for the first 50 pages. An

28 additional fee of \$1 per name in excess of 25 names may be

29 imposed for a document containing more than 25 names.

30 (b) No fee, other than a fee established under this section

1 or another statutory fee, shall be charged by a recorder of
2 deeds, an equivalent officer in a home rule charter county or
3 any other county office for the recordation of a document
4 regardless of the number of times rejected or otherwise.

5 (c) A county shall be subject to the following:

6 (1) An additional fee established in accordance with 53
7 Pa.C.S. § 6011(a) (relating to affordable housing programs fees
8 in counties) shall be imposed at a flat rate not to exceed 100%
9 of fees collected under subsection (a).

10 (2) An additional fee established in accordance with the act
11 of January 15, 1988 (P.L.1, No.1), known as the Uniform Parcel
12 Identifier Law, shall be imposed at a flat rate per uniform
13 parcel identifier and the total fee charged for recording a
14 single document under the Uniform Parcel Identifier Law or this
15 act, regardless of the number of uniform parcel identifiers
16 recorded, shall not exceed \$1,000 per document.

17 (3) Notwithstanding any other provision of law, a recorder
18 of deeds may charge 50¢ per page for copies and \$1.50 for
19 certifications of previously recorded documents.

20 (d) The governing body of each county shall, by resolution
21 or ordinance, establish fees in accordance with subsections (a)
22 and (c)(1) and (2), to the extent the fees are imposed by the
23 county, within 120 days of the effective date of this section
24 and may, no more frequently than every two years, adjust those
25 fees within the limitations of this section. In the absence of a
26 resolution or ordinance by the governing body of a county, the
27 flat-rate fee for the recordation of a document shall be \$50 for
28 the first 50 pages.

29 Section 4. Sections 2.1(b) and 2.2(b) of the act are amended
30 to read:

1 Section 2.1. * * *

2 (b) In addition to the fee charged by a recorder of deeds or
3 by an equivalent officer in a home rule charter county, a flat
4 rate fee in the amount of \$5 shall be charged and collected for
5 each document recorded. The fee shall be distributed in the
6 following manner:

7 (1) The amount of \$3 shall be retained in a separate
8 fund within the office of the recorder of deeds to be used,
9 in accordance with regular county budgeting, contracting and
10 procurement practices, to support development and improvement
11 of office records management activities and systems in the
12 office of the recorder of deeds or in its equivalent in a
13 home rule charter county. Amounts in the separate fund shall
14 not be used to substitute any allocations of general revenues
15 for the operation of the recorder's office without the
16 express consent of the recorder. The separate fund shall be
17 audited by the appropriate auditing agency, and any
18 unexpended balance, together with interest earned on the
19 separate fund, shall be left in the separate fund to
20 accumulate from year to year. Beginning with the close of the
21 fiscal year four years after the effective date of this
22 section and every four years thereafter, any unencumbered
23 funds remaining in the separate fund shall be transferred to
24 the County Records Improvement Fund.

25 (2) The amount of \$2 shall be deposited in the County
26 Records Improvement Fund for use as prescribed in subsection
27 (c).

28 * * *

29 Section 2.2. * * *

30 (b) In addition to the fees charged by a recorder of deeds

1 or an equivalent officer in a county, the governing body of the
2 county may, by resolution or ordinance, authorize the recorder
3 of deeds to charge and collect a flat rate fee not to exceed \$15
4 for each deed and mortgage recorded. The fee shall be deposited
5 into the county demolition fund to be used exclusively for the
6 demolition of blighted property situate in the county.

7 * * *

8 Section 5. Repeals are as follows:

9 (1) The General Assembly declares that the repeals under
10 paragraph (2) are necessary to effectuate the provisions of
11 this act.

12 (2) The following acts and parts of acts are repealed:

13 (i) 53 Pa.C.S. § 6011(b).

14 (ii) The act of December 17, 1986 (P.L.1685,
15 No.197), entitled "An act providing that recorders of
16 deeds may make additional charges for accepting certain
17 documents."

18 Section 6. This act shall take effect immediately.