

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 518

BY BUSINESS COMMITTEE

AN ACT

RELATING TO RECORDER'S FEES; AMENDING SECTION 31-3205, IDAHO CODE, TO REVISE PROVISIONS REGARDING RECORDER'S FEES.

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, for 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~~ transfers of title to 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~~ reconveyances of trust deeds that include a substitution of trustee if contained within the same instrument for recording, and releases of mortgages ..... \$15.00
  - (iv) Substitution of a trustee ..... \$10.00
  - (v) Powers of attorney ..... \$25.00
- For each additional page beyond thirty (30) pages for an instrument listed in this paragraph ..... \$3.00
- (c) For electronic copies (as defined in subsection (2) of this section) requested on a recurring basis, for each page or image .... ~~\$.055¢~~
- (d) For copies of any record or paper, for each page ..... \$1.00
- (e) For each certificate under seal, when required ..... \$1.00
- (f) 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
- (g) For recording every town plat or map, for the first one hundred (100) lots or less ..... \$11.00
- And for each additional lot ..... ~~\$.055¢~~
- (h) For taking acknowledgments, including seal ..... \$1.00
- (i) For filing a survey, for each page ..... \$5.00
- (j) For making a copy of a survey or highway right-of-way plat ... \$4.00

- 1 (k) For issuing marriage license, filing, recording and indexing the
- 2 certificate of marriage and taking and filing affidavits required in
- 3 issuance of the license ..... \$11.00
- 4 (l) For administering an oath, including jurat ..... \$1.00
- 5 And certifying the same when required, an additional sum of ..... \$1.00
- 6 (m) For comparing and certifying a prepared copy of a file or record in
- 7 his office, for each page ..... \$~~50~~¢
- 8 (n) For each certificate under seal, there shall be an additional fee
- 9 of ..... \$1.00
- 10 (2) Electronic copies shall include copies provided via internet down-
- 11 load, on a compact disc, zip disc, floppy disc, or other electronic means.
- 12 The county recorder shall provide electronic copies if the record is main-
- 13 tained in electronic form and if the person specifically requests an elec-
- 14 tronic copy.
- 15 (3) For duplication of recorded documents in paper, microfilm or micro-
- 16 fiche format requested on a recurring basis in excess of one hundred (100)
- 17 pages, the fee shall be negotiated between the county recorder and the pur-
- 18 chaser of records. The fee shall not exceed the costs to the county recorder
- 19 for the retrieval and duplication of the record. These negotiated fees shall
- 20 be recommended by the county recorder and approved by the board of county
- 21 commissioners. Any existing agreements for duplication of paper, microfilm
- 22 or microfiche documents in excess of one hundred (100) pages are hereby rat-
- 23 ified and approved. Any negotiated fees shall remain in effect until such
- 24 time as either party requests a review of the fee.
- 25 (4) All instruments delivered to the county recorder for record shall
- 26 be recorded rather than filed with the exception of plats, surveys, corner-
- 27 stone markers and instruments under the Uniform Commercial Code.
- 28 (5) For all other services as recorder, not enumerated herein, the fee
- 29 fixed in the statute requiring the service or the same fee as allowed the
- 30 clerk of the district court for like service.
- 31 (6) A page shall not exceed fourteen (14) inches in length nor eight and
- 32 one-half (8 1/2) inches in width. Each page shall be typewritten or be in
- 33 legible writing. The recording fee to be charged for maps, sketches, draw-
- 34 ings or other instruments except plats larger than the size permitted ~~above~~
- 35 in this subsection for a page shall be two cents (2¢) per square inch.