

SECOND REGULAR SESSION

HOUSE BILL NO. 1740

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MEINERS.

Read 1st time January 17, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4456L.01I

AN ACT

To repeal section 59.319, RSMo, and to enact in lieu thereof one new section relating to recording fees.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 59.319, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 59.319, to read as follows:

59.319. 1. A user fee of four dollars shall be charged and collected by every recorder in this state, over and above any other fees required by law, as a condition precedent to the recording of any instrument. The state portion of the fee shall be forwarded monthly by each recorder of deeds to the state director of revenue, and the fees so forwarded shall be deposited by the director in the state treasury. Two dollars of such fee shall be retained by the recorder and deposited in a recorder's fund and not in county general revenue for record storage, microfilming, and preservation, including anything necessarily pertaining thereto. The recorder's funds shall be kept in a special fund by the treasurer and shall be budgeted and expended at the direction of the recorder and shall not be used to substitute for or subsidize any allocation of general revenue for the operation of the recorder's office without the express consent of the recorder. The recorder's fund may be audited by the appropriate auditing agency, and any unexpended balance shall be left in the fund to accumulate from year to year with interest.

2. An additional fee of [three] **ten** dollars shall be charged and collected by every recorder in this state, over and above any other fees required by law, as a condition precedent to the recording of any instruments specified in subdivisions (1) and (2) **of subsection 1** of section

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 59.330. **Of** the fees collected from this additional [three] **ten** dollars per recorded instrument,
17 **nine dollars** shall be forwarded monthly by each recorder of deeds to the state director of
18 revenue, and the fees so forwarded shall be deposited by the director in the state treasury. **The**
19 **remaining one dollar of the additional ten dollars collected shall be forwarded monthly by**
20 **the recorder of deeds to the county treasurer to be deposited into the county treasury for**
21 **use by the recorder's office at the discretion of the recorder.**

22 3. The state treasurer and the commissioner of administration shall establish an
23 appropriate account within the state treasury and in accordance with the state's accounting
24 methods. Any receipt required by this section to be deposited in the general revenue fund shall
25 be credited as follows: the amount of one dollar for each fee collected under subsection 1 of this
26 section to an account to be utilized for the purposes of sections [60.500] **60.510** to 60.610,
27 RSMo; the amount of one dollar for each fee collected under subsection 1 of this section to an
28 account to be utilized by the secretary of state for additional preservation of local records; and
29 the amount of [three] **nine** dollars collected **and forwarded to the state director of revenue**
30 under subsection 2 of this section into the Missouri housing trust fund as designated in section
31 215.034, RSMo.

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