

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 283, Page 1, Section A, Line 3, by  
2 inserting the following after all of said section and line:

3  
4 "59.800. 1. Beginning on July 1, 2001, notwithstanding any other condition precedent  
5 required by law to the recording of any instrument specified in subdivisions (1) and (2) of  
6 subsection 1 of section 59.330, an additional fee of [~~five~~] six dollars shall be charged and collected  
7 by every recorder of deeds in this state on each instrument recorded. The additional fee shall be  
8 distributed as follows:

9 (1) One dollar and twenty-five cents to the recorder's fund established pursuant to  
10 subsection 1 of section 59.319, provided, however, that all funds received pursuant to this section  
11 shall be used exclusively for the purchase, installation, upgrade and maintenance of modern  
12 technology necessary to operate the recorder's office in an efficient manner;

13 (2) One dollar and seventy-five cents to the county general revenue fund; and

14 (3) [~~Two~~] Three dollars to the fund established in subsection 2 of this section.

15 2. (1) There is hereby established a revolving fund known as the "Statutory County  
16 Recorder's Fund", which shall receive funds paid to the recorders of deeds of the counties of this  
17 state pursuant to subdivision (3) of subsection 1 of this section. The director of the department of  
18 revenue shall be custodian of the fund and shall make disbursements from the fund for the purpose  
19 of subsidizing the fees collected by counties that hereafter elect or have heretofore elected to  
20 separate the offices of clerk of the circuit court and recorder. The subsidy shall consist of the total  
21 amount of moneys collected pursuant to subdivisions (1) and (2) of subsection 1 of this section  
22 subtracted from fifty-five thousand dollars, except if the annual average of funds collected under  
23 subsection 1 over the previous three-year period is insufficient to meet all obligations calculated in  
24 this subdivision and in which case the provisions of subdivision (2) of this subsection shall apply.  
25 The moneys paid to qualifying counties pursuant to this subsection shall be deposited in the county  
26 general revenue fund. For purposes of this section a "qualified county" is a county that hereafter  
27 elects or has heretofore elected to separate the offices of clerk of the circuit court and recorder and  
28 in which the office of the recorder of deeds collects less than fifty-five thousand dollars in fees  
29 pursuant to subdivisions (1) and (2) of subsection 1 of this section, on an annual basis. Moneys in  
30 the statutory county recorder's fund shall not be considered state funds and shall be deemed nonstate  
31 funds.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1       (2) If funds collected under subdivision (3) of subsection 1 of this section are insufficient to  
2 meet obligations set out in subsection 1 of this section, the department of revenue shall calculate the  
3 projected shortfall that would otherwise be incurred using the formula set out above. If the fund  
4 balance is greater than the annual average disbursement of the previous three years, then up to  
5 thirty-three percent of such excess may be used to meet the obligation. If this amount is insufficient  
6 or unavailable, the director of the department of revenue shall set a new requisite amount to  
7 determine a qualified county under subdivision (1) of this subsection other than fifty-five thousand  
8 dollars, which reflects the revenue collected under subdivision (3) of subsection 1 of this section  
9 plus an additional thirty-three percent should the balance exist in the statutory recorder's fund."; and

10  
11 Further amend said bill by amending the title, enacting clause, and intersectional references  
12 accordingly.