

FIRST REGULAR SESSION

# HOUSE BILL NO. 1125

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE NOLTE.

2496H.011

JOSEPH ENGLER, Chief Clerk

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## AN ACT

To repeal section 59.310, RSMo, and to enact in lieu thereof one new section relating to documents presented for recording.

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

Section A. Section 59.310, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 59.310, to read as follows:

59.310. 1. The county recorder of deeds may refuse any document presented for recording that does not meet the following requirements:

(1) The document shall consist of one or more individual pages printed only on one side and not permanently bound nor in a continuous form. The document shall not have any attachment stapled or otherwise affixed to any page except as necessary to comply with statutory requirements, provided that a document may be stapled together for presentation for recording; a label that is firmly attached with a bar code or return address may be accepted for recording;

(2) The size of print or type shall not be smaller than eight-point type and shall be in black or dark ink. Should any document presented for recording contain type smaller than eight-point type, such document shall be accompanied by an exact typewritten copy not smaller than eight-point type to be recorded contemporaneously as additional pages of the document;

(3) The document must be of sufficient legibility to produce a clear and legible reproduction thereof. Should any document not be of sufficient legibility to produce a clear and legible reproduction, such document shall be accompanied by an exact typewritten copy

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.

17 not smaller than eight-point type to be recorded contemporaneously as additional pages of the  
18 document;

19 (4) The document shall be on white or light-colored paper of not less than twenty-  
20 pound weight without watermarks or other visible inclusions, except for plats and surveys,  
21 which may be on materials such as Mylar or velum. All text within the document shall be of  
22 sufficient color and clarity to ensure that when the text is reproduced from record, it shall be  
23 readable;

24 (5) All signatures on a document shall be in black or dark ink, such that such  
25 signatures shall be of sufficient color and clarity to ensure that when the text is reproduced  
26 from record, it shall be readable, and shall have the corresponding name typed, printed or  
27 stamped underneath said signature. The typing or printing of any name or the applying of an  
28 embossed or inked stamp shall not cover or otherwise materially interfere with any part of the  
29 document except where provided for by law;

30 (6) The documents shall have a top margin of at least three inches of vertical space  
31 from left to right, to be reserved for the recorder of deeds' certification and use. All other  
32 margins on the document shall be a minimum of three-fourths of one inch on all sides.  
33 Nonessential information such as form numbers, page numbers or customer notations may be  
34 placed in the margin. A document may be recorded if a minor portion of a seal or incidental  
35 writing extends beyond the margins. The recorder of deeds will not incur any liability for not  
36 showing any seal or information that extends beyond the margins of the permanent archival  
37 record.

38 2. (1) Every document containing any of the items listed in this subsection that is  
39 presented for recording, except plats and surveys, shall have such information on the first  
40 page below the three-inch horizontal margin:

41 [~~1~~] (a) The title of the document;

42 [~~2~~] (b) The date of the document;

43 [~~3~~] (c) All grantors' names and marital status;

44 [~~4~~] (d) All grantees' names;

45 [~~5~~] (e) Any statutory addresses;

46 [~~6~~] (f) The legal description of the property; and

47 [~~7~~] (g) Reference book and pages for statutory requirements, if applicable.

48 (2) If there is not sufficient room on the first page for all of the information required  
49 by **subdivision (1) of** this subsection, the page reference within the document where the  
50 information is set out shall be stated on the first page.

51 3. From January 1, 2002, documents which do not meet the requirements set forth in  
52 this section may be recorded for an additional fee of twenty-five dollars, which shall be  
53 deposited in the recorders' fund established pursuant to subsection 1 of section 59.319.

54 4. Documents which are exempt from format requirements and which the recorder of  
 55 deeds may record include the following:

- 56 (1) Documents which were signed prior to January 1, 2002;
- 57 (2) Military separation papers;
- 58 (3) Documents executed outside the United States;
- 59 (4) Certified copies of documents, including birth and death certificates;
- 60 (5) Any document where one of the original parties is deceased or otherwise  
 61 incapacitated; and
- 62 (6) Judgments or other documents formatted to meet court requirements.

63 5. Any document rejected by a recorder of deeds shall be returned to the preparer or  
 64 presenter accompanied by an explanation of the reason it could not be recorded.

65 6. Recorders of deeds shall be allowed fees for their services as follows:

66 (1) For recording every deed or instrument: five dollars for the first page and three  
 67 dollars for each page thereafter except for plats and surveys;

68 (2) For copying or reproducing any recorded instrument, except surveys and plats: a  
 69 fee not to exceed two dollars for the first page and one dollar for each page thereafter;

70 (3) For every certificate and seal, except when recording an instrument: one dollar;

71 (4) For recording a **boundary survey, easement, subdivision** plat ~~[or survey of a~~  
 72 ~~subdivision, outlets or condominiums: twenty five dollars for each sheet of drawings or~~  
 73 ~~calculations based on a size not to exceed twenty four inches in width by eighteen inches in~~  
 74 ~~height. For recording a survey of one or more tracts: five dollars for each sheet of drawings~~  
 75 ~~or calculations based on a size not to exceed twenty four inches in width by eighteen inches in~~  
 76 ~~height. Any plat or survey larger than eighteen inches by twenty four inches shall be counted~~  
 77 ~~as an additional sheet for each additional eighteen inches by twenty four inches, or fraction~~  
 78 ~~thereof, plus five dollars per page of other material], **condominium plat, or other drawing**~~  
 79 **depicting the division of land prepared by a professional land surveyor:**

80 (a) **The fee for any such drawing that measures one of the following dimensions**  
 81 **shall be as follows:**

82	<b>8 1/2" by 11"</b>	<b>\$5.00</b>
83	<b>11" by 17"</b>	<b>\$8.00</b>
84	<b>18" by 24"</b>	<b>\$25.00</b>
85	<b>24" by 36"</b>	<b>\$50.00;</b>

86 (b) **For any such drawing that measures between dimensions listed in paragraph**  
 87 **(a) of this subdivision, the fee shall be calculated at the rate for the larger listed**  
 88 **dimension; and**

89 (c) **For drawings exceeding twenty-four inches by thirty-six inches, the fee shall**  
 90 **be calculated at the rate of six cents per square inch;**

91 (5) For copying a **boundary survey, easement, subdivision** plat ~~[or survey of one or~~  
 92 ~~more tracts: a fee not to exceed five dollars for each sheet of drawings and calculations not~~  
 93 ~~larger than twenty-four inches in width and eighteen inches in height and one dollar for each~~  
 94 ~~page of other material], condominium plat, or other drawing depicting the division of~~  
 95 **land prepared by a professional land surveyor:**

96 (a) **The fee for any such drawing that measures one of the following dimensions**  
 97 **shall be as follows:**

98	<b>8 1/2" by 11"</b>	<b>\$1.00</b>
99	<b>11" by 17"</b>	<b>\$2.00</b>
100	<b>18" by 24"</b>	<b>\$5.00</b>
101	<b>24" by 36"</b>	<b>\$10.00;</b>

102 (b) **For any such drawing that measures between dimensions listed in paragraph**  
 103 **(a) of this subdivision, the fee shall be calculated at the rate for the larger listed**  
 104 **dimension; and**

105 (c) **For drawings exceeding twenty-four inches by thirty-six inches, the fee shall**  
 106 **be calculated at the rate of one and one-half cents per square inch;**

107 (6) For a document which releases or assigns more than one item: five dollars for  
 108 each item beyond one released or assigned in addition to any other charges which may apply;

109 (7) For every certified copy of a marriage license or application for a marriage  
 110 license: two dollars;

111 (8) For duplicate copies of the records in a medium other than paper, the recorder of  
 112 deeds shall set a reasonable fee not to exceed the costs associated with document search and  
 113 duplication; and

114 (9) For all other use of equipment, personnel services and office facilities, the  
 115 recorder of deeds may set a reasonable fee.

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