

SECOND REGULAR SESSION

# HOUSE BILL NO. 2599

## 103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BLACK.

6003H.011

JOSEPH ENGLER, Chief Clerk

### AN ACT

To repeal section 59.319, RSMo, and to enact in lieu thereof one new section relating to a user fee collected by recorders of deeds.

*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Section A. Section 59.319, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 59.319, to read as follows: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~~ **nine** 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 59.330. The fees collected from this additional ~~three~~ **nine** dollars per recorded

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.

18 instrument shall be forwarded monthly by each recorder of deeds to the state director of  
19 revenue, and the fees so forwarded shall be deposited by the director in the state treasury.

20 3. The state treasurer and the commissioner of administration shall establish an  
21 appropriate account within the state treasury and in accordance with the state's accounting  
22 methods. Any receipt required by this section to be deposited in the state treasury shall be  
23 credited as follows:

24 (1) The amount of one dollar for each fee collected under subsection 1 of this section  
25 shall be paid to the state treasurer and credited to the "Missouri Land Survey Fund" which is  
26 hereby created to be utilized for the purposes of sections 60.510 to 60.620 and section 60.670.  
27 The state treasurer shall be custodian of the fund and may approve disbursements from the  
28 fund in accordance with sections 30.170 and 30.180. Any funds previously collected by the  
29 state treasurer to be utilized for the purposes of sections 60.510 to 60.620 and section 60.670  
30 shall transfer to the Missouri land survey fund. Any portion of the fund not immediately  
31 needed for the purposes authorized shall be invested by the state treasurer as provided by the  
32 constitution and laws of this state. All income, interest, and moneys earned from such  
33 investments shall be deposited in the Missouri land survey fund. Any unexpended balance in  
34 the fund at the end of the fiscal year is exempt from the provisions of section 33.080 relating  
35 to the transfer of unexpended balances to the general revenue fund;

36 (2) The amount of one dollar for each fee collected under subsection 1 of this section  
37 to an account to be utilized by the secretary of state for additional preservation of local  
38 records; and

39 (3) The amount of ~~three~~ **nine** dollars collected under subsection 2 of this section  
40 into the Missouri housing trust fund as designated in section 215.034.

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