

SECOND REGULAR SESSION

[PERFECTED]

SENATE BILL NO. 1078

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR KENNEDY.

Read 1st time January 30, 2002, and 1,000 copies ordered printed.

Read 2nd time February 5, 2002, and referred to the Committee on Financial and Governmental Organization, Veterans' Affairs and Elections.

Reported from the Committee February 26, 2002, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 13, 2002. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

4413S.01P

AN ACT

To repeal section 59.800, RSMo, relating to the statutory county recorder's fund, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 59.800, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 59.800, to read as follows:

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

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

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

(3) Two dollars to the fund established in subsection 2 of this section.

2. There is hereby established [in the state treasury] a revolving fund known as the "Statutory County Recorder's Fund", which shall receive funds paid to the recorders of deeds of

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

the counties of this state pursuant to subdivision (3) of subsection 1 of this section. The [state treasurer] **director of the department of revenue** shall be custodian of the fund and shall make disbursements from the fund for the purpose of subsidizing the fees collected by counties that hereafter elect or have heretofore elected to separate the offices of clerk of the circuit court and recorder. The subsidy shall consist of the total amount of moneys collected pursuant to subdivisions (1) and (2) of subsection 1 of this section subtracted from fifty-five thousand dollars. The moneys paid to qualifying counties pursuant to this subsection shall be deposited in the county general revenue fund. For purposes of this section a "qualified county" is a county that hereafter elects or has heretofore elected to separate the offices of clerk of the circuit court and recorder and in which the office of the recorder of deeds collects less than fifty-five thousand dollars in fees pursuant to subdivisions (1) and (2) of subsection 1 of this section, on an annual basis. **Monies in the statutory county recorder's fund shall be deemed non-state funds.**

[3. Any unexpended balance in the fund at the end of any biennium is exempt from the provisions of section 33.080, RSMo, relating to transfer of unexpended balances to the general revenue fund.]

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