

SECOND REGULAR SESSION

SENATE BILL NO. 825

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JUSTUS.

Pre-filed December 1, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

3118S.011

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Section A. Section 59.319, RSMo, is repealed and one new section enacted
2 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
2 every recorder in this state, over and above any other fees required by law, as a
3 condition precedent to the recording of any instrument. The state portion of the
4 fee shall be forwarded monthly by each recorder of deeds to the state director of
5 revenue, and the fees so forwarded shall be deposited by the director in the state
6 treasury. Two dollars of such fee shall be retained by the recorder and deposited
7 in a recorder's fund and not in county general revenue for record storage,
8 microfilming, and preservation, including anything necessarily pertaining
9 thereto. The recorder's funds shall be kept in a special fund by the treasurer and
10 shall be budgeted and expended at the direction of the recorder and shall not be
11 used to substitute for or subsidize any allocation of general revenue for the
12 operation of the recorder's office without the express consent of the recorder. The
13 recorder's fund may be audited by the appropriate auditing agency, and any
14 unexpended balance shall be left in the fund to accumulate from year to year with
15 interest.

16 2. An additional fee of [three] **ten** dollars shall be charged and collected
17 by every recorder in this state, over and above any other fees required by law, as
18 a condition precedent to the recording of any instruments specified in
19 subdivisions (1) and (2) of section 59.330. **Of** the fees collected from this

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

20 additional [three] **ten** dollars per recorded instrument, **nine dollars** shall be
21 forwarded monthly by each recorder of deeds to the state director of revenue, and
22 the fees so forwarded shall be deposited by the director in the state
23 treasury. **The remaining one dollar of the additional ten dollars**
24 **collected shall be forwarded monthly by the recorder of deeds to the**
25 **county treasurer to be deposited into the county treasury for use by the**
26 **recorder's office at the discretion of the recorder.**

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

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