

# SENATE BILL NO. 1206

## 103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR GREGORY (21).

5477S.011

KRISTINA MARTIN, Secretary

### AN ACT

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

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Section A. Section 59.310, RSMo, is repealed and one new  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

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

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

13 (2) The size of print or type shall not be smaller  
14 than eight-point type and shall be in black or dark ink.  
15 Should any document presented for recording contain type  
16 smaller than eight-point type, such document shall be  
17 accompanied by an exact typewritten copy not smaller than

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

18 eight-point type to be recorded contemporaneously as  
19 additional pages of the document;

20 (3) The document must be of sufficient legibility to  
21 produce a clear and legible reproduction thereof. Should  
22 any document not be of sufficient legibility to produce a  
23 clear and legible reproduction, such document shall be  
24 accompanied by an exact typewritten copy not smaller than  
25 eight-point type to be recorded contemporaneously as  
26 additional pages of the document;

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

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

43 (6) The documents shall have a top margin of at least  
44 three inches of vertical space from left to right, to be  
45 reserved for the recorder of deeds' certification and use.  
46 All other margins on the document shall be a minimum of  
47 three-fourths of one inch on all sides. Nonessential  
48 information such as form numbers, page numbers or customer  
49 notations may be placed in the margin. A document may be

50 recorded if a minor portion of a seal or incidental writing  
51 extends beyond the margins. The recorder of deeds will not  
52 incur any liability for not showing any seal or information  
53 that extends beyond the margins of the permanent archival  
54 record.

55 2. (1) Every document [containing any of the items  
56 listed in this subsection] that is presented for recording,  
57 except plats and surveys, shall **contain the following and**  
58 **shall** have such information on the first page below the  
59 three-inch horizontal margin:

60 [(1)] (a) The title of the document;  
61 [(2)] (b) The date of the document;  
62 [(3)] (c) All grantors' names and marital status;  
63 [(4)] (d) All grantees' names;  
64 [(5)] (e) Any statutory addresses;  
65 [(6)] (f) The legal description of the property; and  
66 [(7)] (g) Reference book and pages for statutory  
67 requirements, if applicable.

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

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

78 4. Documents which are exempt from format requirements  
79 and which the recorder of deeds may record include the  
80 following:

(1) Documents which were signed prior to January 1, 2002;

(2) Military separation papers;

(3) Documents executed outside the United States;

(4) Certified copies of documents, including birth and death certificates;

(5) Any document where one of the original parties is deceased or otherwise incapacitated; and

(6) Judgments or other documents formatted to meet court requirements.

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

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

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

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

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

(4) For recording a **survey, subdivision** plat [or survey of a subdivision, outlets or condominiums: twenty-five dollars for each sheet of drawings or calculations based on a size not to exceed twenty-four inches in width by eighteen inches in height. For recording a survey of one or more tracts: five dollars for each sheet of drawings or calculations based on a size not to exceed twenty-four inches in width by eighteen inches in height. Any plat or

survey larger than eighteen inches by twenty-four inches shall be counted as an additional sheet for each additional eighteen inches by twenty-four inches, or fraction thereof, plus five dollars per page of other material], condominium plat, or other drawing depicting the division of land prepared by a professional land surveyor:

(a) For drawings smaller than eighteen inches by twenty-four inches, the fee shall be twenty-five dollars;

(b) The fee for any such drawing that measures one of the following dimensions shall be as follows for each sheet of drawings or other calculations:

18" by 24"	\$25.00
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24" by 36"	\$50.00;
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(c) For any such drawing that measures between dimensions listed in paragraph (b) of this subdivision, the fee for each sheet of drawings or calculations shall be calculated at the rate for the larger listed dimension; and

(d) For drawings exceeding twenty-four inches by thirty-six inches, the fee for each sheet of drawings or other calculations shall be sixty dollars;

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

(a) The fee for any such drawing that measures one of the following dimensions shall be as follows for each sheet of drawings or other calculations:

143	8 1/2" by 11"	\$1.00
144	11" by 17"	\$2.00
145	18" by 24"	\$5.00
146	24" by 36"	\$10.00;

147           (b) of this subdivision, the fee for each sheet of  
148 drawings or calculations shall be calculated at the rate for  
149 the larger listed dimension; and

150           (c) For drawings exceeding twenty-four inches by  
151 thirty-six inches, the fee for each sheet of drawings or  
152 other calculations shall be fifteen dollars;

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

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

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

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

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