

# SENATE BILL NO. 1624

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR WILLIAMS.

6580S.011

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 59.313, RSMo, and to enact in lieu thereof one new section relating to the duties of the recorder of deeds.

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

Section A. Section 59.313, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 59.313,  
3 to read as follows:

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

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

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

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

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

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

33 (5) All signatures on a document shall be in black or  
34 dark ink, such that such signatures shall be of sufficient  
35 color and clarity to ensure that when the text is reproduced  
36 from record, it shall be readable, and shall have the  
37 corresponding name typed, printed or stamped underneath said  
38 signature. **For documents filed in person by an interested**  
39 **party or parties, the recorder of deeds of a city not within**  
40 **a county may require all grantors and grantees identified**  
41 **within the document or documents presented to be physically**  
42 **present and sign such document or documents in the presence**  
43 **of authorized recorder of deeds office personnel.** The  
44 typing or printing of any name or the applying of an  
45 embossed or inked stamp shall not cover or otherwise  
46 materially interfere with any part of the document, except  
47 where provided for by law;

48           (6) Every document, except plats and surveys, shall  
49 have a top margin of at least three inches of vertical space  
50 from left to right, to be reserved for the recorder of  
51 deeds' certification and use. All other margins on the  
52 document shall be a minimum of three-fourths of one inch on  
53 all sides. Nonessential information such as form numbers,  
54 page numbers or customer notations may be placed in the  
55 margin. A document may be recorded if a minor portion of a  
56 seal or incidental writing extends beyond the margins. The  
57 recorder of deeds will not incur any liability for not  
58 showing any seal or information that extends beyond the  
59 margins of the permanent archival record.

60           2. Every document containing any of the items listed  
61 in this subsection that is presented for recording, except  
62 plats and surveys, shall have such information on the first  
63 page below the three-inch horizontal line:

- 64           (1) The title of the document;
- 65           (2) The date of the document;
- 66           (3) All grantors' names;
- 67           (4) All grantees' names;
- 68           (5) Any statutory addresses;
- 69           (6) The legal description or descriptions of the  
70 property; and
- 71           (7) Reference book and page for statutory  
72 requirements, if applicable.

73 If there is not sufficient room on the first page for all  
74 the required information, the page reference within the  
75 document where the information is set out shall be placed on  
76 the first page.

77           3. From January 1, 2002, documents which do not meet  
78 the requirements set forth in this section may be recorded

79 for an additional fee of twenty-five dollars, which shall be  
80 deposited in the recorders' fund established pursuant to  
81 subsection 1 of section 59.319.

82 4. Documents which are exempt from format requirements  
83 and which the recorder of deeds may record include the  
84 following:

85 (1) Documents which were signed prior to January 1,  
86 2002;

87 (2) Military separation papers;

88 (3) Documents executed outside the United States;

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

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

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

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

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

100 (1) For recording every deed or instrument: ten  
101 dollars for the first page and five dollars for each page  
102 thereafter;

103 (2) For copying or reproducing any recorded  
104 instrument, except surveys and plats: three dollars for the  
105 first page and two dollars for each page thereafter;

106 (3) For every certificate and seal, except when  
107 recording an instrument: two dollars;

108 (4) For recording a plat or survey of a subdivision,  
109 outlots or condominiums: forty-four dollars for each sheet  
110 of drawings and calculations based on a size of not to

111 exceed twenty-four inches in width by eighteen inches in  
112 height, plus ten dollars for each page of other materials;

113 (5) For recording a survey of one tract of land, in  
114 the form of one sheet not to exceed twenty-four inches in  
115 width by eighteen inches in height: eight dollars;

116 (6) For copying a plat or survey: eight dollars for  
117 each page;

118 (7) For every certified copy of a marriage license or  
119 application for a marriage license: five dollars;

120 (8) For releasing on the margin: eight dollars for  
121 each item released;

122 (9) For a document which releases or assigns more than  
123 one item: seven dollars and fifty cents for each item beyond  
124 one released or assigned in addition to any other charges  
125 which may apply; and

126 (10) For duplicate reels of microfilm: thirty dollars  
127 each.

128 For all other use of equipment, personnel services and  
129 office space the recorder of deeds shall set attendant fees.

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