

FINAL BILL REPORT

HB 1716

C 26 L 91
Synopsis As Enacted

Brief Description: Standardizing terminology relating to county auditors and recording officers.

By Representatives Wood, Haugen, Ferguson, Cooper, Zellinsky, Miller, Franklin, Beck, Bray, Edmondson, Horn, Wynne, Rayburn, Nealey, Roland, Mitchell, Winsley and Paris.

House Committee on Local Government
Senate Committee on Governmental Operations

Background: The county auditor is generally responsible for recording instruments into the official public records after payment of the necessary fees. The types of instruments recorded include deeds, mortgages, powers of attorney to convey real estate, and other papers that are required by law to be recorded and filed. A home rule charter, however, may designate someone other than the county auditor to perform this function. The statutes do not recognize that the recording officer may be the county auditor or someone else charged with that responsibility.

The methods provided in some statutes for the recording of documents limit the process to photographic or photomechanical means. Other methods that allow for the safe recording of documents are not included.

Every county auditor is required to keep a general index of information that is recorded. The general index must contain a direct and an inverted index. There is no statutory authorization to maintain the index on microfilm or microfiche, or allow for its display on a video display terminal.

Each county auditor is required to maintain a book containing plats of all maps of towns.

Fees are set forth in statute for the recording of various transactions. There is no statutory direction for computing if one instrument contains multiple transactions.

Summary: A recording officer is defined as the county auditor or, in charter counties, the county official responsible for recording instruments in the county records.

Documents may be recorded by electronic, mechanical, optical, magnetic, or microfilm storage process.

The general index may combine the direct and indirect indexes into a single index. The index may be either printed on paper or produced on microfilm or microfiche, or it may be created from a computerized data base and displayed on a video display terminal.

The requirement for the county auditor to keep a book containing plats of all maps of towns is deleted.

The fee for recording multiple transactions contained in one instrument is calculated individually for each transaction requiring separate indexing.

Votes on Final Passage:

House	94	0
Senate	45	0

Effective: July 28, 1991