
Local Government Committee

SB 5477

Brief Description: Requiring the delivery of endorsements by recording officers.

Sponsors: Senators Shin, Winsley and Schmidt.

Brief Summary of Bill

- Requires recording officers to deliver all recorded documents.

Hearing Date: 3/27/03

Staff: Anne Warwick (786-7291).

Background:

Definitions:

Instruments are documents such as:

- Deeds, grants, and transfers of real property;
- Mortgage and release of mortgages or real estate;
- Agreements relating to community or separate property;
- Powers of attorney to convey real estate and leases; and
- All papers or writings required by law to be filed.

A **file** is the delivery or electronic transmission of an instrument to the auditor or recording officer for recording into the official public records.

A **record** is the process (such as electronic, mechanical, optical, magnetic, or microfilm storage) used by the auditor or recording officer after filing to incorporate the instrument into public records.

When any document required by law to be recorded is received by mail (electronically or in person) by the auditor's office, the recording officer marks the time it was received and notes if the document was received electronically. The recording officer then files and records the document. After the document is recorded, the recording officer will then mark on the document the time, book, and page in which the document was recorded. If requested, the document is electronically transmitted to the party leaving it for recording or

delivered to the address on the face of the document.

Summary of Bill:

The recording officer must electronically transmit a document to the party leaving it to be recorded, or deliver it to the address on the face of the document.

Appropriation: None.

Fiscal Note: Not Requested. Available on companion bill HB 1593.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.