

# SENATE BILL REPORT

## SB 6105

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As Reported By Senate Committee On:  
Government Operations, January 30, 1996

**Title:** An act relating to standardization of recorded documents.

**Brief Description:** Standardizing the recording of documents.

**Sponsors:** Senators Winsley and Haugen.

**Brief History:**

**Committee Activity:** Government Operations: 1/22/96, 1/30/96 [DPS].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS

**Majority Report:** That Substitute Senate Bill No. 6105 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Sheldon, Vice Chair; Goings, Hale, Heavey, McCaslin and Winsley.

**Staff:** Rod McAulay (786-7754)

**Background:** An historic function of the county auditor is the maintenance of a county recording office in which all documents affecting title to real property and various other documents may be recorded. The date and fact of recording are critical in determining ownership, priority of interests in and liens on real property.

Auditors are authorized to make charges for recording based on the dimensions and number of pages of the document presented. The statute currently references "legal size," which historically meant 8.5 by 14 inches. Most courts, however, have specified for many years that legal pleadings be on 8.5 by 11 inch paper, which creates an ambiguity about what is meant by "legal size".

Auditors are required to index all recorded instruments in a general index and, when appropriate, in grantor/grantee indices or other indices. The general index must include the date of filing, the name of the grantor, the name of the grantee, the nature of the instrument and other critical information specified in statute. There is no requirement that the general index include the auditor's file number or assessor's property tax parcel or account number.

When indexing recorded instruments, it is sometimes difficult to accurately determine the information which is required to be entered in the index. In multiple paged instruments, the needed information may be found on different pages. There is no requirement that the critical information be included or summarized on the face page.

**Summary of Substitute Bill:** Basic county auditor recording charges are stated for instruments which are 8.5 by 14 inches in size. Standards are established for the size, layout

and content of the face page of any instrument presented for recording. If the instrument presented for recording does not contain the information required, a cover sheet must be prepared and submitted with the instrument. The form and content of the cover sheet are prescribed.

Entries in the auditor's general index must include the assessor's property tax parcel or account number, and may include the auditor's file number as an alternate to the recording book and page number.

**Substitute Bill Compared to Original Bill:** The substitute bill makes a technical correction on the prescribed cover sheet.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect on January 1, 1997.

**Testimony For:** This will allow the recording process to be conducted more efficiently and with greater accuracy.

**Testimony Against:** None.

**Testified:** Doug Cochran, Yakima County Auditor (pro); Carolyn Ableman, King County Records Superintendent (pro).