

HOUSE BILL REPORT

HB 1038

As Passed House

January 14, 1998

Title: An act relating to recording documents in the county auditor's office.

Brief Description: Providing procedural requirements for recording documents in the office of the county auditor.

Sponsors: Representatives D. Schmidt, Scott and D. Sommers.

Brief History:

Committee Activity:

Government Administration: 1/21/97, 1/22/97 [DP].

Floor Activity:

Passed House: 2/3/97, 97-0;

Passed House: 1/14/98, 96-0.

HOUSE COMMITTEE ON GOVERNMENT ADMINISTRATION

Majority Report: Do pass. Signed by 13 members: Representatives D. Schmidt, Chairman; D. Sommers, Vice Chairman; Scott, Ranking Minority Member; Gardner, Assistant Ranking Minority Member; Doumit; Dunn; Dunshee; Murray; Reams; Smith; L. Thomas; Wensman and Wolfe.

Staff: Steve Lundin (786-7127).

Background: Documents relating to real property are filed with county auditors. Considerable detail is provided in statute for recording and indexing these documents.

Summary of Bill: A number of changes are made to the recording of documents with county auditors.

The actual document canceling a lawsuit relating to real property, or a court order canceling a mortgage, is filed with the county auditor instead of placing notice of the cancellation in the margin of a related document that was previously filed.

A county auditor must note the record location number of the original lien, mortgage, or other instrument in the comment section of the index whenever an instrument of release, or acknowledgment of satisfaction, is filed relating to the incumbrance.

The requirement is eliminated that county auditors maintain separate books or indices for the following types of filed documents: (1) The locations of new state highway lines; (2) liens filed by doctors, nurses, hospitals, or ambulances; and (3) federal tax liens.

The location of documents filed with a county auditor may be referenced by the county auditor's record location number, rather than by the book or volume of records and page number.

It is clarified that the county auditor may procure media— rather than books— for recording various instruments.

The term multiple transactions— is defined to clarify when separate fees are charged for each separate transaction contained in a single instrument filed with a county auditor.

It is clarified that a real estate tax stamp affixed to an instrument conveying real property constitutes evidence that real estate excise taxes have been paid.

A statement of the precise amount of an old recording fee is replaced with general language about the appropriate— recording fee.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is a technical, clean-up bill. Most of the changes in recording are already occurring.

Testimony Against: None.

Testified: Bob Terwilliger, Snohomish County Auditor; and Doug Cochran, Yakima County Auditor.