

FINAL BILL REPORT

HB 1386

C 442 L 05

Synopsis as Enacted

Brief Description: Increasing the surcharge for the preservation of historical documents.

Sponsors: By Representatives Takko, Haler, Haigh, Ericks, Hankins, McCoy and Chase.

House Committee on Local Government

House Committee on Finance

Senate Committee on Government Operations & Elections

Background:

Statute specifies numerous duties and responsibilities for the county auditor, including directives pertaining to financial and election administration. Among other duties, the auditor is the recorder of deeds and other instruments in writing that must be filed and recorded in and for the county for which he or she is elected.

In addition to other charges authorized by law, a surcharge of \$2 per instrument must be charged by the auditor for each document recorded. Fifty percent of the revenue generated from this surcharge must be transmitted monthly to the state treasurer for annual distribution to each county treasurer according to a statutory formula. The county treasurer must place these received funds into a special centennial document preservation and modernization account whereby the funds may only be used for the ongoing preservation of historical documents of county offices and departments. The received funds may not be added to the county current expense fund.

The remaining 50 percent of the revenue generated by the surcharge must be retained by the county and deposited in the auditor's operation and maintenance fund for the ongoing preservation of historical documents of county offices and departments.

Summary:

Except as otherwise provided, the mandatory per instrument recording surcharge that county auditors must charge for the preservation of historical documents is increased from \$2 to \$5. One dollar of this \$5 surcharge must be deposited in the county general fund to be used at the discretion of the county commissioners to promote historical preservation or historical programs. The surcharge for each document presented for recording by the Employment Security Department is \$2. Excluding funds deposited in the county general fund for historical preservation or programs, the remaining revenue generated from the surcharges must be transmitted to the state treasurer or retained by the county, subject to statutory provisions.

Votes on Final Passage:

House 57 37
Senate 28 16 (Senate amended)
House 68 27 (House concurred)

Effective: July 24, 2005