

RECORDING AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor: Calvin R. Musselman

LONG TITLE

General Description:

This bill modifies requirements for county recorders to accept electronic documents.

Highlighted Provisions:

This bill:

- ▶ requires county recorders to accept an electronic version of a plat for recording; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-21-18.5, as last amended by Laws of Utah 2019, Chapter 302

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **17-21-18.5** is amended to read:

17-21-18.5. Fees of county recorder -- Electronic recording of instruments.

(1) The county recorder shall receive the following fees:

(a) for recording any instrument, not otherwise provided for, other than bonds of public officers, \$40;

(b) for recording any instrument, including those provided for under Title 70A, Uniform Commercial Code, other than bonds of public officers, and not otherwise provided

30 for, \$40, and if an instrument contains more than 10 descriptions, \$2 for each additional
31 description;

32 (c) for recording mining location notices and affidavits of labor affecting mining
33 claims, \$40; and

34 (d) for an affidavit or proof of labor which contains more than 10 mining claims, \$2 for
35 each additional mining claim.

36 (2) (a) Each county recorder shall record the mining rules of the several mining
37 districts in each county without fee.

38 (b) Certified copies of these records shall be received in all tribunals and before all
39 officers of this state as prima facie evidence of the rules.

40 (3) The county recorder shall receive the following fees:

41 (a) for copies of any record or document, a reasonable fee as determined by the county
42 legislative body;

43 (b) for each certificate under seal, \$5;

44 (c) for recording any plat, \$50 for each sheet and \$2 for each lot or unit designation;

45 (d) for taking and certifying acknowledgments, including seal, \$5 for one name and \$2
46 for each additional name;

47 (e) for recording any license issued by the Division of Occupational and Professional
48 Licensing, \$40; and

49 (f) for recording a federal tax lien, \$40, and for the discharge of the lien, \$40.

50 (4) A county recorder may not charge more than one recording fee for each instrument,
51 regardless of whether the instrument bears multiple descriptive titles or includes one or more
52 attachments as part of the instrument.

53 (5) (a) [By] Beginning on or before January 1, 2022, each county shall accept and
54 provide for the electronic recording of instruments.

55 (b) Beginning on or before January 1, 2023, each county shall:

56 (i) provide for the electronic recording of a plat; and

57 (ii) accept an electronic document for the recording of a plat.

58 (6) The county may determine and collect a fee for all services not enumerated in this
59 section.

60 (7) A county recorder may not be required to collect a fee for services that are
61 unrelated to the county recorder's office.