

SESSION OF 2002

SUPPLEMENTAL NOTE ON SENATE BILL NO. 564

As Amended by House Committee of the Whole

Brief*

SB 564 would require the register of deeds of all counties to charge additional recording fees of \$2 per page for deeds, mortgages, and other instruments of writing, including a release or assignment of real estate mortgages. The added \$2 fees are to be placed in the register of deeds technology fund.

Moneys in the technology fund are to be used for acquiring equipment and services for storing, recording, archiving, retrieving, and handling of data stored or recorded in the register of deeds office. Moneys in this new fund are not subject to the budget law, but amounts credited to and expended from the fund must be shown in the budget.

The Senate Committee of the Whole amended the bill to make it applicable only to Johnson County. The amendment also requires the Johnson County Register of Deeds to submit an annual written report to the President of the Kansas Senate, Speaker of the House, and the chairpersons of several legislative committees listed, regarding the financial transactions of the technology fund, the progress of and cost savings for the electronic updates.

The House Committee made the added fees mandatory and statewide and raised the fees for filing and release of federal and state tax liens and materialman liens from \$5 to \$15 to make these fees consistent with those charged for Uniform Commercial Code filings.

The House Committee of the Whole amendment was technical.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.accesskansas.org/legislature/>

Background

The bill was requested by the Johnson County Register of Deeds. The Kansas County Register of Deeds Association, the Kansas Land Title Association, and the Kansas Title Insurance Corporation suggested the bill be amended to require the increased fees be uniform throughout the state.

The bill has no fiscal impact on the state.