



LEGISLATIVE FINANCE COMMITTEE

66th Montana Legislature

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TO: LFC Education Subcommittee (HB 657)
FROM: Pad McCracken, LSD
RE: Increasing document recording fees to support land information accounts
DATE: June 5, 2020

You requested a bill draft increasing by \$1 (from \$7 to \$8) the per page fee that county clerks and recorders charge for recording documents and then increasing the amount of money deposited in the county land information account by 25 cents, from 25 cents to 50 cents, and the amount transmitted to the Department of Revenue for deposit in the Montana Land Information Account by 75 cents, from 75 cents to \$1.50. The attached provisional bill draft, PD 0010, accomplishes this request.

Additionally, I added "for each page or fraction of a page" in subsection (3)(a) to clarify the intent and current practice.

1 **** BILL NO. ****
2 INTRODUCED BY ****
3 BY REQUEST OF THE ****

4 **WORKING DRAFT PREPARED FOR THE LFC ED SUBCOMMITTEE**

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING FEES FOR DOCUMENTS SUBMITTED TO COUNTY
6 CLERKS FOR RECORDING; INCREASING THE PER PAGE FEE AND ALLOCATING THE ADDITIONAL
7 REVENUE TO COUNTY AND STATE LAND INFORMATION ACCOUNTS; AMENDING SECTION 7-4-2637,
8 MCA; AND PROVIDING AN EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **Section 1.** Section 7-4-2637, MCA, is amended to read:

13 **"7-4-2637. Fees for recording documents.** (1) Except as provided in 7-2-2803(4) and 7-4-2631, the
14 fee for recording a standard document that meets the requirements of 7-4-2636 is ~~\$7~~ \$8 for each page or
15 fraction of a page.

16 (2) Except as provided in 7-2-2803(4), the fee for recording a document that does not meet the
17 requirements of 7-4-2636 is the fee specified in subsection (1) plus \$10.

18 (3) (a) Of the fees collected under subsection (1), for each page or fraction of a page:

19 (i) \$1 must be deposited in the records preservation fund, provided for in 7-4-2635;

20 (ii) ~~25~~ 50 cents must be deposited in the county land information account provided for in 7-6-2230;

21 (iii) ~~75 cents~~ \$1.50 must be transmitted each month to the department of revenue in the manner
22 prescribed by the department of revenue for deposit in the Montana land information account created in 90-1-
23 409; and

24 (iv) the remainder must be deposited as provided for in 7-4-2511.

25 (b) The fees collected under subsection (2) must be deposited in the records preservation fund
26 provided for in 7-4-2635."

27
28 **NEW SECTION. Section 2. Effective date.** [This act] is effective July 1, 2021.

Unofficial Draft Copy

As of: 2020/06/01 03:57:52

Drafter: Pad McCracken, 406-444-3595

67th Legislature

PD 0010

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- END -

DRAFT