ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature – First Regular Session

COMMITTEE ON COUNTY AND MUNICIPAL AFFAIRS

Report of Regular Meeting
Monday, March 9, 2015
House Hearing Room 4 -- 2:00 p.m.

Convened 4:24 p.m.
Recessed
Reconvened
Adjourned 4:30 p.m.

Members Present	**Members Absent**
Ms. Alston	
Mr. Bolding	
Mr. Boyer	
Ms. Fann	
Mrs. Gabaldón	
Mr. Gray	
Mr. Rivero, Vice-Chairman	
Mr. Coleman, Chairman	

Request to Speak
Report – Attachment 1

Presentations

Name	**Organization**	**Attachments** (Handouts)
None		

Committee Action

Bill	**Action**	**Vote**	**Attachments** (Summaries, Amendments, Roll Call)
SB1218	DP	8-0-0-0	2, 3

Kim Cammill, Chairman Assistant
March 9, 2015

(Original attachments on file in the Office of the Chief Clerk; video archives available at http://www.azleg.gov)

Information Registered on the Request to Speak System

House County and Municipal Affairs (3/9/2015)

SB1218, technical correction; county treasurer (NOW: county recorder; recording fees)

Support:

Trey Williams, AZ ASSOCIATION OF COUNTIES; Lauren King, LAND TITLE ASSOCIATION OF ARIZONA (LTAA)

Attachment 1

HOUSE OF REPRESENTATIVES

SB 1218

county recorder; recording fees
Sponsor: Senator Allen

X Committee on County and Municipal Affairs

Caucus and COW

House Engrossed

OVERVIEW

SB 1218 prescribes fees to be paid to the county recorder for certain deeds.

HISTORY

County recorders are statutorily required to have custody of and keep all records, maps and papers deposited in the recorder's office. Currently, the county recorder charges fees for recordings including:

- $5 for the first five pages and $1 for each additional page for papers required or authorized by law to be recorded, if the fee is not otherwise specified. The charge for additional pages shall not exceed $250.
- $1 for each page or partial page for preparing and certifying copies of a record. There is an additional $3 charge for attaching the recorder's certificate and seal.
- $1 charge for each instrument required to be delivered by mail.

The county board of supervisors may assess a special recording surcharge not to exceed $4 to be deposited into the Document Storage and Retrieval Conversion and Maintenance Fund (Fund) for filings with the county recorder (Arizona Revised Statutes §§ 11-461, 11-475, 11-475.01).

On November 20, 2013, the Consumer Financial Protection Bureau issued final rules amending existing requirements for mortgage disclosures to fulfill a requirement under the Dodd-Frank Wall Street Reform and Consumer Protection Act. The resulting disclosure forms under the new rules replace current forms and are commonly referred to as the "Know Before You Owe" mortgage disclosure. These rules become effective for mortgage applications received on or after August 1, 2015.

PROVISIONS

1. Requires the following fees be paid to the county recorder:
   a. $10 for each release of a deed of trust or mortgage.
   b. $15 for each deed that transfers, conveys or affects an interest in real property.
   c. $25 for each deed of trust or mortgage.
2. Stipulates that these fees include the $1 charge for delivery by mail and any surcharge to be deposited into the Fund.
3. Directs a person recording a deed of trust or mortgage for residential property constructed for at least one family but not more than four families to include "Residential 1-4" in the caption heading on the first page of each document.
   a. Asserts that failure to comply with this requirement will not affect the validity or the recording of the document.

4. Makes technical changes.

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ROLL CALL VOTE

COMMITTEE ON COUNTY AND MUNICIPAL AFFAIRS BILL NO. SB 1218

DATE March 9, 2015 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston		✓			
Mr. Bolding		✓			
Mr. Boyer		✓			
Ms. Fann		✓			
Mrs. Gabaldón		✓			
Mr. Gray		✓			
Mr. Rivero, Vice-Chairman		✓			
Mr. Coleman, Chairman		✓			
		8	0	0	0

COMMITTEE SECRETARY

APPROVED:

DOUG COLEMAN, Chairman
TONY RIVERO, Vice-Chairman

ATTACHMENT 3