

FIRST REGULAR SESSION

HOUSE BILL NO. 486

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KORMAN.

0915H.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 59.319, RSMo, and to enact in lieu thereof one new section relating to transportation and economic development planning activities funds.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 59.319, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 59.319, to read as follows:

59.319. 1. A user fee of four dollars shall be charged and collected by every recorder in this state, over and above any other fees required by law, as a condition precedent to the recording of any instrument. The state portion of the fee shall be forwarded monthly by each recorder of deeds to the state director of revenue, and the fees so forwarded shall be deposited by the director in the state treasury. Two dollars of such fee shall be retained by the recorder and deposited in a recorder's fund and not in county general revenue for record storage, microfilming, and preservation, including anything necessarily pertaining thereto. The recorder's funds shall be kept in a special fund by the treasurer and shall be budgeted and expended at the direction of the recorder and shall not be used to substitute for or subsidize any allocation of general revenue for the operation of the recorder's office without the express consent of the recorder. The recorder's fund may be audited by the appropriate auditing agency, and any unexpended balance shall be left in the fund to accumulate from year to year with interest.

2. An additional fee of three dollars shall be charged and collected by every recorder in this state, over and above any other fees required by law, as a condition precedent to the recording of any instruments specified in subdivisions (1) and (2) of section 59.330. The fees collected from this additional three dollars per recorded instrument shall be forwarded monthly

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 by each recorder of deeds to the state director of revenue, and the fees so forwarded shall be
18 deposited by the director in the state treasury.

19 3. The state treasurer and the commissioner of administration shall establish an
20 appropriate account within the state treasury and in accordance with the state's accounting
21 methods. Any receipt required by this section to be deposited in the state treasury shall be
22 credited as follows:

23 (1) The amount of one dollar for each fee collected under subsection 1 of this section
24 shall be paid to the state treasurer and credited to the "Missouri Land Survey Fund" which is
25 hereby created to be utilized for the purposes of sections 60.510 to 60.620 and section 60.670.
26 The state treasurer shall be custodian of the fund and may approve disbursements from the fund
27 in accordance with sections 30.170 and 30.180. Any funds previously collected by the state
28 treasurer to be utilized for the purposes of sections 60.510 to 60.620 and section 60.670 shall
29 transfer to the Missouri land survey fund. Any portion of the fund not immediately needed for
30 the purposes authorized shall be invested by the state treasurer as provided by the constitution
31 and laws of this state. All income, interest, and moneys earned from such investments shall be
32 deposited in the Missouri land survey fund. Any unexpended balance in the fund at the end of
33 the fiscal year is exempt from the provisions of section 33.080 relating to the transfer of
34 unexpended balances to the general revenue fund;

35 (2) The amount of one dollar for each fee collected under subsection 1 of this section to
36 an account to be utilized by the secretary of state for additional preservation of local records; and

37 (3) The amount of three dollars collected under subsection 2 of this section into the
38 Missouri housing trust fund as designated in section 215.034.

39 **4. (1) In addition to all other fees required by law, any recorder of a second or third**
40 **class county in this state shall charge a fee of four dollars to record any instrument. Two**
41 **dollars of the fee collected under this subsection shall be deposited into the general revenue**
42 **fund of the county in which the fee was collected, and two dollars shall be transferred to**
43 **the regional planning commission designated to serve the county collecting the fee.**

44 **(2) Two dollars are to be deposited into the county general revenue fund under**
45 **subdivision (1) of this subsection and shall be used only to support economic development,**
46 **transportation, and other relevant planning activities in the county in which the fee was**
47 **collected.**

48 **(3) Two dollars are to be transferred to the regional planning commission under**
49 **subdivision (1) of this subsection and shall be used only to support regional planning**
50 **commissions, including but not limited to transportation, community and economic**
51 **development, infrastructure, or other planning activities.**

52 **5. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act, the provisions of**
53 **the program authorized under subsection 4 of this section shall automatically sunset on**
54 **August 28, 2023.**

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