

HB 1858 -- RECORDER OF DEEDS AND FALSE FILINGS

SPONSOR: Mathews

This bill specifies that if a person files a document with the recorder of deeds and fails to comply with the standard filing form, the filing will be treated as a provisional filing. If no objection is lodged, the filing is no longer a provisional filing and is treated as any other valid filing. If an objection is made in court, notice of the objection, along with a court date, must be sent to all owners of record, the individual that made the filing, and all parties to the filing.

The bill creates the offense of filing a false document if he or she files, causes to be filed, or attempts to file, creates, uses as genuine, transfers or has transferred, presents, or prepares with knowledge or belief that it will be filed, presented, or transferred to the secretary of state or his or her designee, any county recorder of deeds or his or her designee, any municipal, county, district, or state government entity or office, or any credit bureau or financial institution specified documents. For the first offense, filing a false document is a class D felony until December 31, 2016, and a class E felony beginning January 1, 2017. Filing false documents is a class C felony in certain specified instances.