

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1442, Page 1, Section 49.060, Line 13, by inserting the following after all
2 of said line:

3
4 "59.800. 1. Beginning on July 1, 2001, notwithstanding any other condition precedent
5 required by law to the recording of any instrument specified in subdivisions (1) and (2) of
6 subsection 1 of section 59.330, an additional fee of five dollars shall be charged and collected by
7 every recorder of deeds in this state on each instrument recorded. The additional fee shall be
8 distributed as follows:

9 (1) One dollar and twenty-five cents to the recorder's fund established [~~pursuant to~~] under
10 subsection 1 of section 59.319, provided, however, that all funds received [~~pursuant to~~] under this
11 section shall be used exclusively for the purchase, installation, upgrade and maintenance of modern
12 technology necessary to operate the recorder's office in an efficient manner;

13 (2) One dollar and seventy-five cents to the county general revenue fund; and

14 (3) Two dollars to the fund established in subsection 2 of this section.

15 2. (1) There is hereby established a revolving fund known as the "Statutory County
16 Recorder's Fund", which shall receive funds paid to the recorders of deeds of the counties of this
17 state [~~pursuant to~~] under subdivision (3) of subsection 1 of this section. The director of the
18 department of revenue shall be custodian of the fund and shall make disbursements from the fund
19 for the purpose of subsidizing the fees collected by counties that hereafter elect or have heretofore
20 elected to separate the offices of clerk of the circuit court and recorder. The subsidy shall consist of
21 the total amount of moneys collected [~~pursuant to~~] under subdivisions (1) and (2) of subsection 1 of
22 this section subtracted from fifty-five thousand dollars, except under such circumstances in which
23 the annual average of funds collected under subsection 1 of this section during the previous three
24 calendar years are insufficient to meet all obligations calculated in this subdivision. In such
25 circumstances, the provisions of subdivision (2) of this subsection shall apply. The moneys paid to
26 qualifying counties [~~pursuant to~~] under this subsection shall be deposited in the county general
27 revenue fund. For purposes of this section a "qualified county" is a county that hereafter elects or
28 has heretofore elected to separate the offices of clerk of the circuit court and recorder and in which
29 the office of the recorder of deeds collects less than fifty-five thousand dollars in fees [~~pursuant to~~]
30 under subdivisions (1) and (2) of subsection 1 of this section, on an annual basis. Moneys in the
31 statutory county recorder's fund shall not be considered state funds and shall be deemed nonstate

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1 funds.

2 (2) In the event funds collected under subdivision (3) of subsection 1 of this section are
3 insufficient to meet the obligations under subdivision (1) of this subsection, the director of revenue
4 shall calculate the projected shortfall that would otherwise be incurred based on the formula
5 outlined under subdivision (1) of this subsection. If the fund balance is greater than the annual
6 average disbursement from the fund during the previous three years, up to thirty-three percent of the
7 amount that exceeds the annual three-year average to meet the obligation may be used to meet the
8 obligations. Should this amount be insufficient or unavailable to meet the shortfall, the director of
9 revenue shall set a new requisite amount to determine a qualified county under subdivision (1) of
10 this subsection other than fifty-five thousand dollars, which reflects the revenue collected under
11 subdivision (3) of subsection 1 of this section in addition to thirty-three percent of the excess fund
12 balance."; and

13
14 Further amend said bill by amending the title, enacting clause, and intersectional references
15 accordingly.