

# House Bill 2560

Sponsored by Representative GILMAN (at the request of Dee Berman)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits alteration of certified copy of recorded instrument when rerecording corrected document. Allows rerecording of certified copy if attached to cover sheet.

## A BILL FOR AN ACT

1  
2 Relating to county clerk rerecording of instruments; amending ORS 205.244.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 205.244 is amended to read:

5 205.244. (1) [*Any*] **An** instrument that has been previously recorded may be rerecording to make  
6 corrections in the original instrument.

7 (2) The county clerk shall record [*any*] **an** instrument presented for rerecording as provided in  
8 subsection (1) of this section. The corrected instrument need not be acknowledged again. The per-  
9 son presenting the instrument for rerecording shall cause a rerecording certificate to be affixed to  
10 the first page of the instrument or **to a cover sheet authorized by ORS 205.234 (2)** added as a new  
11 first page to the instrument. The rerecording certificate shall contain the words "RERECORDED  
12 **AT THE REQUEST OF \_\_\_\_\_ TO CORRECT \_\_\_\_\_.** PREVIOUSLY RECORDED IN BOOK  
13 \_\_\_\_\_ AND PAGE \_\_\_\_\_, OR AS FEE NUMBER \_\_\_\_\_."

14 (3) **A certified copy of a recorded instrument may not be altered for the purpose of cor-**  
15 **recting the original instrument. The person presenting the instrument may present an un-**  
16 **altered certified copy of the recorded instrument when it is attached to a cover sheet**  
17 **authorized by ORS 205.234 (2). The cover sheet must contain the rerecording certificate de-**  
18 **scribed in subsection (2) of this section. The rerecorded document may include attachments**  
19 **identified on the cover sheet that are necessary to make the corrections.**

20 [(3)] (4) A county clerk shall not incur civil or criminal liability, either personally or in an of-  
21 ficial capacity, for recording a corrected instrument under this section.

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.