

76TH OREGON LEGISLATIVE ASSEMBLY
STAFF MEASURE SUMMARY
HOUSE REVENUE COMMITTEE

MEASURE: HB2351
CARRIER:

REVENUE: No
FISCAL: potential

PRELIMINARY

Action:
Vote:

Yeas:
Nays:
Exc.:

MEASURE: HB 2351
EXHIBIT: A
HOUSE REVENUE COMMITTEE
DATE: 4/13/2011 PAGES: 1
SUBMITTED BY: MAZEN MALIK

Prepared By: Mazen Malik, Economist
Meeting Dates: April-13

WHAT THE BILL DOES: Increases maximum fee for recording certain county documents.

ISSUES DISCUSSED:

- The right level for the fee
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EFFECT OF COMMITTEE AMENDMENTS: from \$20 to \$15

BACKGROUND:

The measure increases the ceiling that any county can charge (fee on documents for the purpose of funding the county serving function. The County governing body need to notify the public and receive public input before putting the fee in action. Documents defined by ORS 205.130

- (a) Deeds and mortgages of real property, powers of attorney and contracts affecting the title to real property, authorized by law to be recorded, assignments thereof and of any interest therein when properly acknowledged or proved and other interests affecting the title to real property required or permitted by law to be recorded;
 - (b) Certificates of sale of real property under execution or order of court, or assignments thereof or of any interest therein when properly acknowledged or proved;
 - (c) Certified copies of death certificates of any person appearing in the county records as owning or having a claim or interest in land in the county. A death certificate recorded in the deed records of a county under this subsection is a public record and is not subject to the disclosure limitations under ORS 432.121;
 - (d) Instruments presented for recording by the United States or the State of Oregon, or a political subdivision of either, that affect title to or an interest in real property or that lawfully concern real property;
 - (e) Instruments recognized under state law or rule or federal law or regulation as affecting title to or an interest in real property if the instrument is properly acknowledged or proved; and
 - (f) Orders from a county forestland-urban interface classification committee filed under ORS 477.052.
- (3) Keep and maintain:
- (a) Deed and mortgage records;
 - (b) Statutory lien records;
 - (c) A record called the County Clerk Lien Record in which the following shall be recorded:
 - (A) The warrants and orders of officers and agencies that are required or permitted by law to be recorded; and
 - (B) All instruments presented for recordation when required or permitted by law to be recorded that affect the title to or an interest in real property, other than instruments recorded in the deed and mortgage records or the statutory lien records;
 - (d) Releases, satisfactions, assignments, amendments and modifications of recorded instruments; and
 - (e) Other instruments required or permitted by law to be recorded not affecting interests in real property.

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