

CHAPTER 222—S.F.No. 3105

An act relating to county recorders; modifying standards for documents; modifying registration fees and provisions; amending Minnesota Statutes 2004, sections 508.75; 508A.11, subdivision 3; Minnesota Statutes 2005 Supplement, sections 507.093; 508.82, subdivision 1; 508A.82, subdivision 1; repealing Minnesota Statutes 2004, section 508.74.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2005 Supplement, section 507.093, is amended to read:

507.093 STANDARDS FOR DOCUMENTS TO BE RECORDED OR FILED.

~~(a)~~ The following standards are imposed on documents to be recorded with the county recorder or ~~filed with the registrar of titles:~~

(1) The document shall consist of one or more individual sheets measuring no larger than 8.5 inches by 14 inches.

(2) The form of the document shall be printed, typewritten, or computer generated in black ink and the form of the document shall not be smaller than 8-point type.

(3) The document shall be on white paper of not less than 20-pound weight with no background color, ~~or images, or writing~~ and, ~~except for the first page,~~ shall have a ~~clear~~ border of ~~approximately~~ at least one-half inch on the top, bottom, and each side.

(4) The first page of the document shall contain a blank space at the top measuring three inches, as measured from the top of the page, and a border of one-half inch on each side and the bottom. The right half ~~to be used by the county recorder of the blank space shall be reserved~~ for recording information ~~or registrar of titles for filing information~~ and the left half ~~to be used by the county auditor or treasurer shall be reserved~~ for tax certification. Any person may attach an administrative page before the first page of the document to accommodate this standard. The administrative page may contain the document title, document date, and, if applicable, the grantor and grantee, and shall be deemed part of the document when recorded.

(5) The title of the document shall be prominently displayed at the top of the first page below the blank space referred to in clause (4), ~~or on the administrative page.~~

(6) No additional sheet shall be attached or affixed to a page that covers up any information or printed part of the form.

(7) A document presented for recording ~~or filing~~ must be sufficiently legible to reproduce a readable copy using the county recorder's or registrar of title's current method of reproduction.

~~(b) The standards in paragraph (a) do not apply to a document that is recorded or filed as part of a pilot project for the electronic filing of real estate documents implemented by the task force created in Laws 2000, chapter 391, and continued by standards established by the Electronic Real Estate Recording Task Force created under section 507.094. A county that participated in the pilot project for the electronic filing of real estate documents under the task force created in Laws 2000, chapter 391, may continue to record or file documents electronically, if:~~

~~(1) the county complies with standards adopted by that task force, and~~

~~(2) the county uses software that was validated by that task force.~~

~~(c) A county that did not participate in the pilot project may record or file a real estate document electronically, if:~~

~~(i) the document to be recorded or filed is of a type included in the pilot project for the electronic filing of real estate documents under the task force created in Laws 2000, chapter 391;~~

~~(ii) the county complies with the standards adopted by the task force;~~

~~(iii) the county uses software that was validated by the task force, and~~

~~(iv) the task force created under section 507.094 votes to accept a written certification of compliance with paragraph (b), clause (2), of this section by the county board and county recorder of the county to implement electronic filing under this section.~~

Sec. 2. Minnesota Statutes 2004, section 508.75, is amended to read:

508.75 INVESTMENT.

All money received by the registrar under the provisions of sections ~~508.74~~ and 508.82, subdivision 1, clause (1), and 508A.82, subdivision 1, clause (1), shall be paid quarterly by the registrar or the county treasurer to the commissioner of finance and placed in the general fund. There is annually appropriated to the commissioner of finance from the general fund sums sufficient to pay claims ordered by a district court under sections 508.77 and 508A.77.

Sec. 3. Minnesota Statutes 2005 Supplement, section 508.82, subdivision 1, is amended to read:

Subdivision 1. **Standard documents.** The fees to be charged by the registrar of titles shall be and not exceed the following:

(1) of the fees provided herein, \$1.50 of the fees collected under clauses ~~(2)~~, (3), (4), (11), (13), (15), (17), and (18) for filing or memorializing shall be paid to the state treasury pursuant to section 508.75 and credited to the general fund;

(2) for registering a first certificate of title, including issuing a copy of it, \$46. Pursuant to clause (1), distribution of this fee is as follows:

(i) \$10.50 shall be paid to the state treasury and credited to the general fund;

(ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3; and

(iii) \$25.50 shall be deposited in the county general fund;

(3) for registering each instrument transferring the fee simple title for which a new certificate of title is issued and for the registration of the new certificate of title, including a copy of it, \$46. Pursuant to clause (1), distribution of this fee is as follows:

(i) \$12 shall be paid to the state treasury and credited to the general fund;

(ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3; and

(iii) \$24 shall be deposited in the county general fund;

(4) for the entry of each memorial on a certificate, \$46. For multiple certificate entries, \$20 thereafter. Pursuant to clause (1), distribution of this fee is as follows:

(i) \$12 shall be paid to the state treasury and credited to the general fund;

- (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3;
- (iii) \$24 shall be deposited in the county general fund; and
- (iv) \$20 shall be deposited in the county general fund for each multiple entry used;
- (5) for issuing each residue certificate and each additional new certificate, \$40;
- (6) for exchange certificates, \$20 for each certificate canceled and \$20 for each new certificate issued;
- (7) for each certificate showing condition of the register, \$50;
- (8) for any certified copy of any instrument or writing on file or recorded in the registrar of titles' office, \$10;
- (9) for a noncertified copy of any certificate of title, other than the copies issued under clauses (2) and (3), any instrument or writing on file or recorded in the office of the registrar of titles, or any specified page or part of it, an amount as determined by the county board for each page or fraction of a page specified. If computer or microfilm printers are used to reproduce the instrument or writing, a like amount per image;
- (10) for a noncertified copy of any document submitted for recording, if the original document is accompanied by a copy or duplicate original, \$2. Upon receipt of the copy or duplicate original and payment of the fee, a registrar of titles shall return it marked "copy" or "duplicate," showing the recording date and, if available, the document number assigned to the original;
- (11) for filing two copies of any plat in the office of the registrar, \$56. Pursuant to clause (1), distribution of this fee is as follows:
 - (i) \$12 shall be paid to the state treasury and credited to the general fund;
 - (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3; and
 - (iii) \$34 shall be deposited in the county general fund;
- (12) for any other service under this chapter, such fee as the court shall determine;
- (13) for filing an amendment to a declaration in accordance with chapter 515, \$46 for each certificate upon which the document is registered and for multiple certificate entries, \$20 thereafter; \$56 for an amended floor plan filed in accordance with chapter 515. Pursuant to clause (1), distribution of this fee is as follows:
 - (i) \$12 shall be paid to the state treasury and credited to the general fund;
 - (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3;
 - (iii) \$24 shall be deposited in the county general fund for amendment to a declaration;
 - (iv) \$20 shall be deposited in the county general fund for each multiple entry used; and
 - (v) \$34 shall be deposited in the county general fund for an amended floor plan;
- (14) for issuance of a CECT pursuant to section 508.351, \$40;
- (15) for filing an amendment to a common interest community declaration, including a supplemental declaration, and plat or amendment complying with section 515B.2-110, subsection (c), \$46 for ~~each~~ the first certificate upon which the document is registered and for multiple certificate entries, \$20 thereafter and \$56 for the filing of the condominium or common interest community plat or amendment. See section 515B.1-116 for special requirement relating to a common interest community. Pursuant to clause (1), distribution of this fee is as follows:
 - (i) \$12 shall be paid to the state treasury and credited to the general fund;
 - (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3;

(iii) \$24 shall be deposited in the county general fund for the filing of an amendment complying with section 515B.2-110, subsection (c);

(iv) \$20 shall be deposited in the county general fund for each multiple entry used; and

(v) \$34 shall be deposited in the county general fund for the filing of a condominium or CIC plat or amendment;

(16) for a copy of a condominium floor plan filed in accordance with chapter 515, or a copy of a common interest community plat complying with section 515B.2-110, subsection (c), the fee shall be \$1 for each page of the floor plan or common interest community plat with a minimum fee of \$10;

(17) for the filing of a certified copy of a plat of the survey pursuant to section 508.23 or 508.671, \$46. Pursuant to clause (1), distribution of this fee is as follows:

(i) \$12 shall be paid to the state treasury and credited to the general fund;

(ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3; and

(iii) \$24 shall be deposited in the county general fund;

(18) for filing a registered land survey in triplicate in accordance with section 508.47, subdivision 4, \$56. Pursuant to clause (1), distribution of this fee is as follows:

(i) \$12 shall be paid to the state treasury and credited to the general fund;

(ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3; and

(iii) \$34 shall be deposited in the county general fund; and

(19) for furnishing a certified copy of a registered land survey in accordance with section 508.47, subdivision 4, \$15.

Sec. 4. Minnesota Statutes 2004, section 508A.11, subdivision 3, is amended to read:

Subd. 3. **Fees.** Before the examiner of titles examines the abstract of title, the applicant shall pay to the registrar of titles the fee provided by section 508A.82, subdivision 1, clause (15) (18).

Sec. 5. Minnesota Statutes 2005 Supplement, section 508A.82, subdivision 1, is amended to read:

Subdivision 1. **Standard documents.** The fees to be charged by the registrar of titles shall be and not exceed the following:

(1) of the fees provided herein, \$1.50 of the fees collected under clauses (2), (3), (5), (12), (14), (16), and (19) for filing or memorializing shall be paid to the state treasury pursuant to section 508.75 and credited to the general fund;

(2) for registering a first CPT, including issuing a copy of it, \$46. Pursuant to clause (1), distribution of the fee is as follows:

(i) \$10.50 shall be paid to the state treasury and credited to the general fund;

(ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3; and

(iii) \$25.50 shall be deposited in the county general fund;

(3) for registering each instrument transferring the fee simple title for which a new CPT is issued and for the registration of the new CPT, including a copy of it, \$46. Pursuant to clause (1), distribution of the fee is as follows:

(i) \$12 shall be paid to the state treasury and credited to the general fund;

- (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3; and
 - (iii) \$24 shall be deposited in the county general fund;
 - (4) for issuance of a CECT pursuant to section 508A.351, ~~\$15~~ \$40;
 - (5) for the entry of each memorial on a CPT, \$46; for multiple certificate entries, \$20 thereafter.
- Pursuant to clause (1), distribution of the fee is as follows:
- (i) \$12 shall be paid to the state treasury and credited to the general fund;
 - (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3;
 - (iii) \$24 shall be deposited in the county general fund; and
 - (iv) \$20 shall be deposited in the county general fund for each multiple entry used;
 - (6) for issuing each residue CPT, \$40;
 - (7) for exchange CPTs or combined certificates of title, \$20 for each CPT and certificate of title canceled and \$20 for each new CPT or combined certificate of title issued;
 - (8) for each CPT showing condition of the register, \$50;
 - (9) for any certified copy of any instrument or writing on file or recorded in the registrar of titles' office, \$10;
 - (10) for a noncertified copy of any CPT, other than the copies issued under clauses (2) and (3), any instrument or writing on file or recorded in the office of the registrar of titles, or any specified page or part of it, an amount as determined by the county board for each page or fraction of a page specified. If computer or microfilm printers are used to reproduce the instrument or writing, a like amount per image;
 - (11) for a noncertified copy of any document submitted for recording, if the original document is accompanied by a copy or duplicate original, \$2. Upon receipt of the copy or duplicate original and payment of the fee, a registrar of titles shall return it marked "copy" or "duplicate," showing the recording date and, if available, the document number assigned to the original;
 - (12) for filing two copies of any plat in the office of the registrar, \$56. Pursuant to clause (1), distribution of the fee is as follows:
 - (i) \$12 shall be paid to the state treasury and credited to the general fund;
 - (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3; and
 - (iii) \$34 shall be deposited in the county general fund;
 - (13) for any other service under sections 508A.01 to 508A.85, the fee the court shall determine;
 - (14) for filing an amendment to a declaration in accordance with chapter 515, \$46 for each certificate upon which the document is registered and for multiple certificate entries, \$20 thereafter; \$56 for an amended floor plan filed in accordance with chapter 515. Pursuant to clause (1), distribution of the fee is as follows:
 - (i) \$12 shall be paid to the state treasury and credited to the general fund;
 - (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3;
 - (iii) \$24 shall be deposited in the county general fund for amendment to a declaration;
 - (iv) \$20 shall be deposited in the county general fund for each multiple entry used; and
 - (v) \$34 shall be deposited in the county general fund for an amended floor plan;
 - (15) for issuance of a CECT pursuant to section 508.351, \$40;

(16) for filing an amendment to a common interest community declaration, including a supplemental declaration, and plat or amendment complying with section 515B.2-110, subsection (c), and issuing a CECT if required, \$46 for each certificate upon which the document is registered and for multiple certificate entries, \$20 thereafter; \$56 for the filing of the condominium or common interest community plat or amendment. See section 515B.1-116 for special requirement relating to a common interest community. Pursuant to clause (1), distribution of the fee is as follows:

- (i) \$12 shall be paid to the state treasury and credited to the general fund;
- (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3;
- (iii) \$24 shall be deposited in the county general fund for the filing of an amendment complying with section 515B.2-110, subsection (c);
- (iv) \$20 shall be deposited in the county general fund for each multiple entry used; and
- (v) \$34 shall be deposited in the county general fund for the filing of a condominium or CIC plat or amendment;

(17) for a copy of a condominium floor plan filed in accordance with chapter 515, or a copy of a common interest community plat complying with section 515B.2-110, subsection (c), the fee shall be \$1 for each page of the floor plan, or common interest community plat with a minimum fee of \$10;

(18) in counties in which the compensation of the examiner of titles is paid in the same manner as the compensation of other county employees, for each parcel of land contained in the application for a CPT, as the number of parcels is determined by the examiner, a fee which is reasonable and which reflects the actual cost to the county, established by the board of county commissioners of the county in which the land is located;

(19) for filing a registered land survey in triplicate in accordance with section 508A.47, subdivision 4, \$56. Pursuant to clause (1), distribution of the fee is as follows:

- (i) \$12 shall be paid to the state treasury and credited to the general fund;
- (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3; and
- (iii) \$34 shall be deposited in the county general fund; and

(20) for furnishing a certified copy of a registered land survey in accordance with section 508A.47, subdivision 4, \$15.

Sec. 6. **REPEALER.**

Minnesota Statutes 2004, section 508.74, is repealed.

Presented to the governor May 19, 2006

Signed by the governor May 21, 2006, 9:45 p.m.