

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4  
5 By: Senator Broadway  
6  
7

# A Bill

SENATE BILL 827

## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 21-6-306 TO  
10 PROVIDE THAT SURPLUS FUND BALANCES REMAINING IN  
11 THE COUNTY RECORDER'S COST FUND MAY BE  
12 TRANSFERRED TO THE COUNTY GENERAL FUND IF THE  
13 AMOUNT EXCEEDS A CARRYOVER AMOUNT FOR THE COUNTY;  
14 AND FOR OTHER PURPOSES.

## Subtitle

15  
16 TO PROVIDE THAT CERTAIN SURPLUS FUNDS IN  
17 THE COUNTY RECORDER'S COST FUND MAY BE  
18 TRANSFERRED TO THE COUNTY GENERAL FUND.  
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21  
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code § 21-6-306 is amended to read as follows:  
25 21-6-306. Recorders.

26 (a) The uniform fees to be charged by the recorders in the various  
27 counties in this state shall be as follows:

28 (1) For recording deeds, deeds of trust, mortgages, release  
29 deeds, powers of attorney, and other recordable instruments, except as  
30 otherwise prescribed in this section, eight dollars (\$8.00) for one (1) page,  
31 one (1) side only, and three dollars (\$3.00) for each additional page.

32 (2) For filing or recording all instruments other than those  
33 prescribed in subdivision (1) of this section that are normally placed on  
34 record in the recorder's office:

35 (A) Plats: when measurements exceed 8 1/2" x 14" ....\$12.00

36 (B) Survey plats: 8 1/2" x 14" or smaller .....8.00



- 1 (C) Materialman's lien and certificate of assessment .8.00
- 2 (D) Notary bond .....8.00
- 3 (E) Foreign judgments .....8.00
- 4 (F) Writs of garnishment or execution of garnishment 10.00
- 5 (G) For entering satisfaction of record, marginal .... .50
- 6 (H) Notice of Lis pendens .....8.00

7 (b)(1) All fees collected under this section shall be paid into the  
 8 county treasury to the credit of the fund to be known as the "county  
 9 recorder's cost fund".

10 (2) ~~Moneys~~ Except for the funds in excess of the carryover  
 11 balance that may be transferred to the county general fund under subdivision  
 12 (d)(1) of this section, moneys deposited in this fund shall be appropriated  
 13 and expended for the uses designated in this section by the quorum court at  
 14 the direction of the recorder.

15 (c)(1) ~~All~~ Except for the funds in excess of the carryover balance  
 16 that may be transferred to the county general fund under subdivision (d)(1)  
 17 of this section, all moneys collected by the recorder as a fee as provided in  
 18 this section shall be used by the recorder's office to offset administrative  
 19 costs.

20 (2) At least twenty-five percent (25%) of the moneys collected  
 21 annually shall be used to purchase, maintain, and operate an automated  
 22 records system. The acquisition and update of software for the automated  
 23 records system shall be a permitted use of these funds.

24 (d)(1) At the end of the year, if an unencumbered fund balance remains  
 25 in the county recorder's cost fund exceeding the carryover balance for the  
 26 county of the class prescribed under subdivision (d)(2) of this section, then  
 27 the county court, at the discretion of the recorder, may transfer and add to  
 28 the county general fund any amount of the excess over the carryover balance  
 29 that the recorder directs may be transferred.

30 (2)(A) The carryover balance for the county recorder's cost fund  
 31 is:

- 32 (i) \$ 75,000 for a Class 1 county;
- 33 (ii) \$100,000 for a Class 2 county;
- 34 (iii) \$125,000 for a Class 3 county;
- 35 (iv) \$150,000 for a Class 4 county;
- 36 (v) \$175,000 for a Class 5 county;

1                                    (vi) \$200,000 for a Class 6 county; and  
 2                                    (vii) \$350,000 for a Class 7 county.  
 3                                    (B) A county shall be classified on the basis of  
 4 population as determined by the preceding federal decennial census according  
 5 to the following classifications:

<u>Classification</u>	<u>Population</u>
7 <u>Class 1</u>	<u>0 to 9,999</u>
8 <u>Class 2</u>	<u>10,000 to 19,999</u>
9 <u>Class 3</u>	<u>20,000 to 29,999</u>
10 <u>Class 4</u>	<u>30,000 to 49,999</u>
11 <u>Class 5</u>	<u>50,000 to 69,999</u>
12 <u>Class 6</u>	<u>70,000 to 199,999</u>
13 <u>Class 7</u>	<u>200,000 and more.</u>

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