

CHAPTER.....

AN ACT relating to county recorders; revising format of certain documents that are filed in the office of the county recorder; authorizing a county recorder to charge a fee for recording documents that do not meet those standards in certain circumstances; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 247.110 is hereby amended to read as follows:

247.110 1. When a document authorized by law to be recorded is deposited in the county recorder's office for recording, the county recorder shall:

(a) Endorse upon it the time when it was received, noting:

- (1) The year, month, day, hour and minute of its reception;
- (2) The document number; and
- (3) The amount of fees collected for recording the document.

(b) Record the document without delay, together with the acknowledgments, proofs and certificates, written upon or annexed to it, with the plats, surveys, schedules and other papers thereto annexed, in the order in which the papers are received for recording.

(c) Note at the upper right corner of the record and upon the document, except a map, so recorded the exact time of its reception ~~and~~ and the name of the person at whose request it was recorded.

(d) Upon request, place a stamp or other notation upon one copy of the document presented at the time of recording to reflect the information endorsed upon the original pursuant to subparagraphs (1) and (2) of paragraph (a) and as evidence that he received the original, and return the copy to the person who presented it.

2. In addition to the information described in paragraph (a) of subsection 1, a county recorder may endorse upon a document the book and page where the document is recorded.

3. A county recorder shall not refuse to record a document on the grounds that the document is not legally effective to accomplish the purposes stated therein.

4. ~~[A]~~ *Except as otherwise provided in this section and subsection 4 of NRS 247.305, a document, except a map, certificate or affidavit of death, military discharge or document regarding taxes that is issued by the Internal Revenue Service of the United States Department of the Treasury,* that is submitted for recording must:

(a) Be on *white, 20-pound* paper that is 8 1/2 inches by 11 inches in size. ~~[A]~~

(b) Have a margin of 1 inch on the left and right sides and at the bottom of each page . ~~[- and]~~

(c) Have a space of 3 inches by 3 inches at the upper right corner of the first page and have a margin of 1 inch at the top of each succeeding page.

(d) Not be on sheets of paper that are bound together at the side, top or bottom.

(e) Not contain printed material on more than one side of each page.

(f) Not have any documents or other materials physically attached to the paper.

(g) Not contain:

(1) Colored markings to highlight text or any other part of the document;

(2) A stamp or seal that overlaps with text or a signature on the document, except in the case of a validated stamp or seal of a professional engineer or land surveyor who is licensed pursuant to chapter 625 of NRS;

(3) Text that is smaller than a 10-point Times New Roman font and is printed in any ink other than black; or

(4) More than 9 lines of text per vertical inch.

5. The provisions of subsection 4 do not apply to a document submitted for recording that has been filed with a court and which conforms to the formatting requirements established by the court.

Sec. 2. NRS 247.305 is hereby amended to read as follows:

247.305 1. If another statute specifies the fee to be charged for a service, county recorders shall charge and collect only the fee specified. Otherwise county recorders shall charge and collect the following fees:

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| For recording any document, for the first page..... | \$10 |
| For each additional page | 1 |
| For recording each portion of a document which must be separately indexed, after the first indexing | 3 |
| For copying any record, for each page..... | 1 |
| For certifying, including certificate and seal..... | 4 |
| For a certified copy of a certificate of marriage..... | 10 |
| For a certified abstract of a certificate of marriage | 10 |

2. Except as otherwise provided in this subsection, a county recorder may charge and collect, in addition to any fee that a county recorder is otherwise authorized to charge and collect, an additional fee not to exceed \$3 for recording a document, instrument, paper, notice, deed, conveyance, map, chart, survey or any other writing. A county recorder may not charge the additional fee authorized in this subsection for recording the originally signed copy of a certificate of

marriage described in NRS 122.120. On or before the fifth day of each month, the county recorder shall pay to the county treasurer the amount of fees collected by him pursuant to this subsection for credit to the account established pursuant to NRS 247.306.

3. Except as otherwise provided in this subsection, a county recorder shall charge and collect, in addition to any fee that a county recorder is otherwise authorized to charge and collect, an additional fee of \$1 for recording a document, instrument, paper, notice, deed, conveyance, map, chart, survey or any other writing. A county recorder shall not charge the additional fee authorized in this subsection for recording the originally signed copy of a certificate of marriage described in NRS 122.120. On or before the fifth day of each month, the county recorder shall pay to the county treasurer the amount of fees collected by him pursuant to this subsection. On or before the 15th day of each month, the county treasurer shall remit the money received by him pursuant to this subsection to the State Treasurer for credit to the Account to Assist Persons Formerly in Foster Care established pursuant to NRS 423.137.

4. *Except as otherwise provided in this subsection, subsection 5 or by specific statute, a county recorder shall charge and collect, in addition to any fee that a county recorder is otherwise authorized to charge and collect, an additional fee of \$25 for recording any document that does not meet the standards set forth in subsection 4 of NRS 247.110. A county recorder shall not charge the additional fee authorized by this subsection for recording a document that is exempt from the provisions of subsection 4 of NRS 247.110.*

5. Except as otherwise provided in subsection ~~5~~ 6, a county recorder shall not charge or collect any fees for any of the services specified in this section when rendered by him to:

(a) The county in which his office is located.

(b) The State of Nevada or any city or town within the county in which his office is located, if the document being recorded:

(1) Conveys to the State, or to that city or town, an interest in land;

(2) Is a mortgage or deed of trust upon lands within the county which names the State or that city or town as beneficiary;

(3) Imposes a lien in favor of the State or that city or town;

or

(4) Is a notice of the pendency of an action by the State or that city or town.

~~5~~ 6. A county recorder shall charge and collect the fees specified in this section for copying of any document at the request of the State of Nevada, and any city or town within the county. For copying, and for his certificate and seal upon the copy, the county recorder shall charge the regular fee.

~~[6-]~~ 7. For purposes of this section, "State of Nevada," "county," "city" and "town" include any department or agency thereof and any officer thereof in his official capacity.

~~[7-]~~ 8. Except as otherwise provided in subsection 2 or 3 or by an ordinance adopted pursuant to the provisions of NRS 244.207, county recorders shall, on or before the fifth working day of each month, account for and pay to the county treasurer all such fees collected during the preceding month.

Sec. 3. This act becomes effective on July 1, 2003.