

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4971-01  
Bill No.: SB 1011  
Subject: County Recorder of Deeds: Recordings  
Type: Original  
Date: February 23, 2006

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 5 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2007</b>	<b>FY 2008</b>	<b>FY 2009</b>
<b>Local Government</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>	<b>\$0 to (Unknown)</b>

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials of the **Office of the Secretary of State - Records Services** assume no fiscal impact.

Officials of the **Office of State Treasurer** assume no fiscal impact to their office.

Officials of the **Office of Administration - Information and Technology Services** assume no fiscal impact.

Officials of the **Office of Boone County Recorder of Deeds** assume there would be cost to Recorder of Deeds from purchasing software and personnel time in assisting in the completion of forms, and in the redaction process. Officials assume some cost in storage for retention of the forms. Maintenance costs would be ongoing. Officials said that costs would depend upon the number of request made for redaction. Officials assume costs to be unknown.

Officials of the **Jackson County Recorder of Deeds** stated that this proposal addresses two subject areas affecting document filings with their office. Officials stated that Sections 59.163 and 59.170 would have no fiscal impact to the county, however, the changes would benefit both the taxpayers and those who file documents in time/costs associated with selecting an office for

the filing of documents.

ASSUMPTION (continued)

Officials stated that their office by 2006 will be placing its entire Recorder of Deeds database, including indexes and document images, on-line. Officials assume there would be no fiscal impact from request for redaction because the process would be handled by existing administrative staff and program software capability.

**Oversight** assumes that Section 59.319.1 of this proposal allows the Recorder's Fund to be used for the costs of redaction as authorized by this proposal. Oversight assumes any cost of redaction would be defrayed by monies in the Recorder's Fund.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009

**COUNTY RECORDER'S FUND**

<b><u>Cost</u></b> to Recorder of Deeds from costs of redaction, and equipment and supplies	\$0 to (Unknown)	\$0 to (Unknown)	\$0 to (Unknown)
<b>ESTIMATED NET EFFECT TO COUNTY RECORDER'S FUND</b>	<u>\$0, to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>	<u>\$0 to</u> <u>(Unknown)</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

## DESCRIPTION

This act allows the Recorder of Deeds in counties of the first classification to record all deeds, mortgages, and other instruments at either the county seat location or the other location in the county that is required by statute. Currently, the statute specifies at which office certain instruments must be recorded. Priority of record will be given strictly by the date and time that an instrument is recorded without regard to the location of the office.

Currently, the Recorder of Deeds for Jackson County must have a Kansas City office and must record all instruments affecting property within a certain area at such office. This act gives the recorder discretion about recording such instruments at the Kansas City office. Such deeds and instruments may also be recorded at the office located at the county seat office of Jackson County.

With limited exceptions, this act prohibits the preparer of a document from including "sensitive personal identifying information" in a document that is prepared for the recorder. Such information includes federal social security numbers, bank account numbers, and credit card account numbers. Currently, only the use of social security numbers is prohibited. If a person's sensitive personal identifying information appears on a document, the preparer, submitter, or anyone in an agency relationship with the person may redact, remove, or delete such information before submitting it to the recorder. The redaction of such information shall not affect the legal status of the transaction described in the document. The Recorder of Deeds shall not alter or modify any document except as otherwise provided by law.

If any sensitive personal identifying information in a record is viewable on an Internet website of a Recorder of Deeds, any person may apply in writing to the recorder for redaction or removal of the information. Upon receiving such application, the Recorder of Deeds may redact or remove the document from the records viewable on the Internet.

The two-dollar portion of the user fee for recording instruments that recorders retain for their "Recorder's Fund" may be used to cover the cost of redacting sensitive personal identifying information from documents.

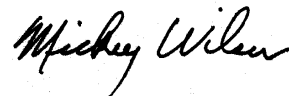
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Secretary of State - Records Services  
Office of State Treasurer  
Office of Administration - Information and Technology Services  
Office of the Jackson County Recorder of Deeds  
Office of the Boone County Recorder of Deeds

NOT RESPONDING

Oversight sent response request to County Recorder of Deeds in Greene County, Laclede County, City of St. Louis and others with no response.



Mickey Wilson, CPA  
Director  
February 23, 2006