

**ONE HUNDRED SECOND LEGISLATURE - SECOND SESSION - 2012**  
**COMMITTEE STATEMENT**  
**LB14**

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**Hearing Date:** Wednesday January 19, 2011  
**Committee On:** Government, Military and Veterans Affairs  
**Introducer:** Wightman  
**One Liner:** Change and eliminate fees received by registers of deeds and clerks

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 6 Senators Avery, Karpisek, Price, Seiler, Sullivan, Wallman  
**Nay:** 2 Senators Janssen, Pahls  
**Absent:**  
**Present Not Voting:**

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<b>Proponents:</b>	<b>Representing:</b>
Senator John Wightman	Introducer
Diane Battiato	Douglas County Register of Deeds
Korby Gilbertson	Nebraska Realtors Association
Jean Bauer	Scotts Bluff County
Colleen Byelick	Secretary of State
Larry Dix	Nebraska Association of County Officials

<b>Opponents:</b>	<b>Representing:</b>
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<b>Neutral:</b>	<b>Representing:</b>
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**Summary of purpose and/or changes:**  
LB 14 changes fees received by clerks and registers of deeds.

The current fee for recording a deed, mortgage, will, decree in a testate estate, or any other instrument with the register of deeds, is five dollars per page.

Under LB 14, the fee will be increased to ten dollars for the first page and six dollars for each additional page. Two dollars and fifty cents of the ten-dollar fee for recording the first page and fifty cents of the six-dollar fee for recording each additional page will be used exclusively for preserving and maintaining public records in the register of deed's office. The fees will also be used for modernization and technology needs of these records. These funds will not be substituted for other allocations of county general funds to the register of deeds.

Section 33-112, which provides the clerk or register of deeds to receive a fee for entering instruments in the numerical record, is outright repealed.

Additionally, the fees for filing and indexing a notice of lien under the Uniform Federal Lien Registration Act and the Uniform State Tax Lien Registration and Enforcement Act are raised to two times the fee required for recording documents with the register of deeds. The fees in these two acts are split between the Secretary of State and the designated county in the filing.

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**Explanation of amendments:**

The committee amendment sunsets the fee increase received by clerks and registers of deeds under this bill after five years.

The current fee for recording a deed, mortgage, will, decree in a testate estate, or any other instrument with the register of deeds, is five dollars per page. For entering each instrument presented for record in the numerical index, the clerk or register of deeds receives fifty cents for each lot and each single block without lots in platted areas and fifty cents for each section in unplatted areas to be paid in advance by the person offering the instrument for record. These current fees will be reinstated on January 1, 2018.

Additionally, the increased fees for filing and indexing a notice of lien under the Uniform Federal Lien Registration Act and the Uniform State Tax Lien Registration and Enforcement Act will only apply until January 1, 2018. These fees will return to their current levels on or after January 1, 2018.

The bill becomes operative on January 1, 2013.

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Bill Avery, Chairperson