

AMENDMENTS TO LB535

Introduced by Harr, 8.

1           1. Insert the following new section:

2           Section 1. Section 23-1503.01, Reissue Revised Statutes of Nebraska,  
3 is amended to read:

4           23-1503.01 (1) Any instrument submitted for recording in the office  
5 of the register of deeds shall contain a blank space at the top of the  
6 first page which is at least three inches by eight and one-half inches in  
7 size for recording information required by section 23-1510 by the  
8 register of deeds. If this space or the information required by such  
9 section is not provided, the register of deeds may add a page or use the  
10 back side of an existing page and charge for the page a fee established  
11 by section 33-109 for the recording of an instrument. No attachment or  
12 affirmation shall be used in any way to cover any information or printed  
13 material on the instrument.

14           (2) Printed forms primarily intended to be used for recordation  
15 purposes shall have a one-inch margin on the two vertical sides and a  
16 one-inch margin on the bottom of the page. Nonessential information such  
17 as page numbers or customer notations may be placed within the side and  
18 bottom margins.

19           (3) All instruments submitted for recording shall be on paper  
20 measuring at least eight and one-half inches by eleven inches and not  
21 larger than eight and one-half inches by fourteen inches. The instrument  
22 shall be printed, typewritten, or computer-generated in black ink on  
23 white paper of not less than twenty-pound weight without watermarks or  
24 other visible inclusions. The instrument shall be sufficiently legible to  
25 allow for a readable copy to be reproduced using the method of  
26 reproduction used by the register of deeds. A font size of at least eight  
27 points shall be presumed to be sufficiently legible. Each signature on an

1 instrument shall be in black or dark blue ink and of sufficient color and  
2 clarity to ensure that the signature is readable when the instrument is  
3 reproduced. The signature may be a digital signature or an electronic  
4 signature. The name of each party to the instrument shall be typed,  
5 printed, or stamped beneath the original signature. An embossed or inked  
6 stamp shall not cover or otherwise materially interfere with any part of  
7 the instrument.

8 (4) This section does not apply to:

9 (a) Instruments signed before August 27, 2011;

10 (b) Instruments executed outside of the United States;

11 (c) Certified copies of instruments issued by governmental agencies,  
12 including vital records;

13 (d) Instruments signed by an original party who is incapacitated or  
14 deceased at the time the instruments are presented for recording;

15 (e) Instruments formatted to meet court requirements;

16 (f) Federal and state tax liens;

17 (g) Forms prescribed by the Uniform Commercial Code; and

18 (h) Plats, surveys, or drawings related to plats or surveys.

19 (5) The changes made to this section by Laws 2011, LB254, do not  
20 affect the duty of a register of deeds to file an instrument presented  
21 for recordation as set forth in sections 23-1506 and 76-237.

22 2. Renumber the remaining sections and correct the repealer  
23 accordingly.