

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-0745.01 Ed DeCecco x4216

SENATE BILL 17-129

SENATE SPONSORSHIP

Sonnenberg,

HOUSE SPONSORSHIP

Arndt and Becker J.,

Senate Committees

Local Government

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE ELECTRONIC PRESERVATION OF A PLAT RECORDED**
102 **BY A COUNTY CLERK AND RECORDER.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill permits a county clerk and recorder to preserve an original plat in an electronic format, with the plat scanned at a minimum resolution of 300 dots per inch.

1 *Be it enacted by the General Assembly of the State of Colorado:*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

1 **SECTION 1.** In Colorado Revised Statutes, **amend** 31-23-108 as
2 follows:

3 **31-23-108. Record and preservation - definition.** The county
4 clerk and recorder shall record all such plats of lands within his OR HER
5 county together with the description, acknowledgment, or other writing
6 thereon in a book to be kept ~~by him~~ for that purpose and, when necessary,
7 may reduce the scale of any such plat. Upon each record in the book he
8 OR SHE shall endorse his OR HER certificate that the same is truly recorded
9 from the original plat filed in his OR HER office. ~~Every such original plat~~
10 ~~shall be preserved by the county clerk and recorder. Such~~ THE COUNTY
11 CLERK AND RECORDER SHALL PRESERVE THE ORIGINAL PLAT IN THE
12 ORIGINAL FORMAT, AN ELECTRONIC FORMAT, OR BOTH. IF THE ORIGINAL
13 PLAT IS PRESERVED IN AN ELECTRONIC FORMAT, THEN THE COUNTY CLERK
14 AND RECORDER SHALL SCAN THE PLAT AT A MINIMUM RESOLUTION OF
15 THREE HUNDRED DOTS PER INCH. THE county clerk and recorder shall keep
16 an index to such book of plats, which index shall contain the names of the
17 parties acknowledging such plats and the name of the city or town, as the
18 case may be. ~~Said~~ THE county clerk and recorder shall likewise make
19 entries of all ~~such~~ THE plats in the index in his OR HER office in which
20 deeds are required to be entered. AS USED IN THIS SECTION, "ELECTRONIC"
21 MEANS RELATING TO TECHNOLOGY HAVING ELECTRICAL, DIGITAL,
22 MAGNETIC, WIRELESS, OPTICAL, ELECTROMAGNETIC, OR SIMILAR
23 CAPABILITIES.

24 **SECTION 2.** In Colorado Revised Statutes, **38-50-101, add (7)**
25 as follows:

26 **38-50-101. Survey plat - records file and index system -**
27 **informational purpose. (7) IF AN ELECTRONIC FILING SYSTEM IS**

1 ESTABLISHED IN ACCORDANCE WITH SUBSECTION (6) OF THIS SECTION OR
2 SECTION 31-23-108, THEN THE BOARD OF COUNTY COMMISSIONERS MAY
3 PROVIDE ADDITIONAL FUNDING AND SPACE SUITABLE FOR A COUNTY
4 SURVEYOR OR ANY OTHER APPROPRIATE LOCAL GOVERNMENT OFFICIAL TO
5 STORE ORIGINAL MYLAR, PAPER, OR POLYESTER SHEETS OF SUBDIVISION
6 PLATS AND LAND SURVEY PLATS.

7 **SECTION 3.** **Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly (August
10 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within such period, then the act, item, section, or part will not take effect
14 unless approved by the people at the general election to be held in
15 November 2018 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.