

CHAPTER 94

GOVERNMENT - COUNTY

HOUSE BILL 06-1242

BY REPRESENTATIVE(S) Benefield, Crane, Hodge, Lindstrom, Massey, Merrifield, Soper, Todd, Cerbo, Vigil, and Butcher;
also SENATOR(S) Windels, Entz, and Kester.

AN ACT

CONCERNING THE ONE DOLLAR SURCHARGE COLLECTED ON DOCUMENTS RECEIVED BY A COUNTY CLERK AND RECORDER.

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

SECTION 1. 30-10-421 (1) (b) and (3) (b) (II), Colorado Revised Statutes, are amended to read:

30-10-421. Filing surcharge - definitions. (1) (b) On and after July 1, 2004, and through ~~June 30, 2007~~ JUNE 30, 2012, the county clerk and recorder shall collect a surcharge of one dollar for each document received for recording or filing in his or her office. The surcharge shall be in addition to any other fees permitted by statute.

(3) (b) The county clerk and recorder shall retain the proceeds of the surcharge collected pursuant to paragraph (b) of subsection (1) of this section. Such proceeds, along with the proceeds from the portion of the surcharge collected pursuant to paragraph (a) of subsection (1) of this section that the clerk and recorder elects to retain, shall be utilized to defray the costs of:

(II) ~~Necessary improvements to the~~ ESTABLISHING, MAINTAINING, OR IMPROVING A core filing system.

SECTION 2. 30-10-423 (5) (a) (II), Colorado Revised Statutes, is amended to read:

30-10-423. Clerk and recorder technology panel - creation - powers - repeal. (5) (a) The panel shall have the power to review grant applications and approve grants to counties funded by the clerk and recorder technology fund created in

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

section 30-10-422. The panel may make grants for the following:

(II) ~~Any of the purposes established in section 30-10-421 (3);~~ TO DEFRAID THE COSTS OF:

(A) ESTABLISHING, MAINTAINING, OR IMPROVING AN ELECTRONIC FILING SYSTEM;
OR

(B) NECESSARY IMPROVEMENTS TO THE CORE FILING SYSTEM.

SECTION 3. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution (August 9, 2006, if adjournment sine die is on May 10, 2006); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 31, 2006