

1 HB309  
2 165071-1  
3 By Representative Holmes (A) (N & P)  
4 RFD: Montgomery County Legislation  
5 First Read: 24-FEB-16

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Montgomery County; to amend Act 2012-82  
14 of the 2012 Regular Session (Acts 2012, p. 143), providing for  
15 an improved system of recording documents in the office of the  
16 judge of probate and for the collection of a special recording  
17 fee; to further provide for the use of the fees.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Section 7 of Act 2012-82 of the 2012  
20 Regular Session (Acts 2012, p. 143), is amended to read as  
21 follows:

22 "Section 7.

23 "Effective immediately after the date this act  
24 becomes applicable to Montgomery County, a special recording  
25 and filing fee of five dollars (\$5) shall be paid to and  
26 collected by the Judge of Probate of Montgomery County, with  
27 respect to each real property instrument, each personal

1 property instrument, and each Uniform Commercial Code document  
2 that may be filed for record in the office of the judge of  
3 probate and with respect to other instruments and documents in  
4 the probate office at the discretion of the judge of probate,  
5 and on and after that date, no instrument or document shall be  
6 received for record in the office of the judge of probate  
7 unless the special recording fee of five dollars (\$5) is paid.  
8 The special recording fee shall be in addition to all other  
9 fees, taxes, and charges required by law to be paid upon the  
10 filing for record of any real property instrument, personal  
11 property instrument, or Uniform Commercial Code document, and  
12 for the recording of other instruments and documents in the  
13 probate office at the discretion of the judge of probate. All  
14 special recording fees collected shall be paid to a special  
15 fund in the office of the judge of probate to be designated as  
16 the Judge of Probate Fund. These funds shall be used at the  
17 discretion of the judge of probate for an improved recording,  
18 archiving, and retrieving system and other equipment,  
19 maintenance, and services necessary for the improvement of the  
20 office of the judge of probate, for the general operation of  
21 the office of the judge of probate, and for any other lawful  
22 public purpose for the improvement of the citizens of the  
23 county. The judge of probate shall at the end of each fiscal  
24 year report to the Montgomery County Legislative Delegation on  
25 the use of the funds. No portion of the fees shall be used for  
26 any political purpose."

1                   Section 2. This act shall become effective on the  
2 first day of the third month following its passage and  
3 approval by the Governor, or its otherwise becoming law.