

1 HB659
2 165071-1
3 By Representative Holmes (A) (N & P)
4 RFD: Montgomery County Legislation
5 First Read: 12-MAY-15

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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.