

1 HB520
2 149546-2
3 By Representatives Davis, Ison and Fincher (N & P)
4 RFD: Mobile County Legislation
5 First Read: 20-FEB-14

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Mobile County; to amend Sections 1 and 3
14 of Act 98-646 of the 1998 Regular Session (Acts 1998, p.
15 1423), providing for an additional recording fee on documents
16 filed with the judge of probate and for the disposition of the
17 recording fee; and to provide for the methods of archiving
18 court records.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Sections 1 and 3 of Act 98-646 of the
21 1998 Regular Session (Acts 1998, p. 1423), are amended to read
22 as follows:

23 "Section 1. In Mobile County, the judge of probate
24 may impose a special recording fee of ~~two dollars (\$2)~~ not to
25 exceed five dollars (\$5) ~~shall~~ to be collected by the judge of
26 probate on each real or personal property, uniform commercial
27 code, judicial, or other instrument recorded or filed for

1 record in the probate court of the county. The special
2 recording fee shall be in addition to all other fees, taxes,
3 and other charges required by law to be paid upon the
4 recording or filing for record of any real or personal
5 property, uniform commercial code, judicial, or other
6 instrument. All special recording fees collected shall be
7 deposited by the judge of probate in any depository in the
8 county as designated by the county governing body.

9 "Section 3. (a) The judge of probate may retain all
10 or parts of court records for archival purposes utilizing
11 ~~optical disks, or other~~ any acceptable computerized ~~methods~~
12 method for records storage, or any combination thereof. The
13 use of microfilm to retain and archive court records in the
14 county may be discontinued and replaced with digitized or
15 scanned images of records committed to ~~optic disks, or the~~
16 ~~like~~ any computerized method for records storage. Records
17 archived and retained on ~~optic disks, or the like,~~ any
18 computerized method for records storage shall constitute
19 official records of the court and may be compiled and
20 certified and sold to the public in accordance with applicable
21 statutes. All funds collected for copies and certifications
22 shall be paid to the county general fund.

23 "(b) Any increase in the special recording fee
24 imposed by the judge of probate over the amount of two dollars
25 (\$2) per instrument shall expire ten (10) years from the
26 effective date of the act adding this subsection."

1 Section 2. All laws or parts of laws which conflict
2 with this act are repealed.

3 Section 3. This act shall become effective
4 immediately following its passage and approval by the
5 Governor, or its otherwise becoming law.