

AN ACT

RELATING TO COUNTY CLERK FEES; CHANGING FEES FOR RECORDING INSTRUMENTS WITH THE COUNTY CLERK; AUTHORIZING EXPENDITURES FROM THE COUNTY CLERK RECORDING AND FILING FUND; MAKING AN APPROPRIATION; AMENDING AND REPEALING SECTIONS OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 14-8-12.2 NMSA 1978 (being Laws 1985, Chapter 122, Section 2, as amended) is amended to read:

"14-8-12.2. RECORDING FEES.--

A. For each instrument recorded, the county clerk shall charge a recording fee of five dollars (\$5.00) for the first page and two dollars (\$2.00) for each additional page or portion thereof of the same instrument.

B. For each instrument recorded, the county clerk may charge, in addition to any other fees authorized by law, including the fee provided in Subsection A of this section, an equipment recording fee. The equipment recording fee shall not exceed four dollars (\$4.00) for each instrument recorded.

C. Amounts collected from the equipment recording fee shall be deposited into a county clerk recording and filing fund, which shall be established by the county.

D. The equipment recording fee and expenditures from the county clerk recording and filing fund shall be

determined annually by the county clerk and approved by the board of county commissioners.

E. Expenditures from the county clerk recording and filing fund may be expended only:

(1) to rent, purchase, lease or lease-purchase recording equipment and for supplies, training and maintenance for such equipment;

(2) to rent, purchase, lease or lease-purchase equipment associated with all regular duties in the county clerk's office and for supplies, training and maintenance for such equipment;

(3) to rent, purchase, lease or lease-purchase vehicles associated with all regular duties in the county clerk's office and for supplies, training and maintenance for such vehicles, provided that the county clerk shall report annually to the board of county commissioners the usage, mileage and necessity of any vehicle acquired pursuant to this paragraph; or

(4) for technical assistance, staff travel and training associated with all regular duties of the county clerk's office pursuant to the Per Diem and Mileage Act."

Section 2. Section 14-8-12.3 NMSA 1978 (being Laws 1985, Chapter 122, Section 3, as amended) is amended to read:

"14-8-12.3. RECORDING FEE--ASSIGNMENTS OR RELEASES OF INTEREST IN PROPERTY.--If an assignment or release assigns or

releases an interest in property by reference to more than one grantor, grantee, deed, mortgage, lease or other instrument that created the interest or an instrument that describes more than one deed, mortgage, lease or other instrument as creating the interests in property, there shall be an additional recording fee of five dollars (\$5.00) for each such reference."

Section 3. REPEAL.--Section 14-8-12 NMSA 1978 (being Laws 1939, Chapter 179, Section 2, as amended) is repealed.
