

**Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0886.01 Rebecca Bayetti x4348

**HOUSE BILL 24-1269**

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**HOUSE SPONSORSHIP**

**Mauro,**

**SENATE SPONSORSHIP**

**Kolker,**

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**House Committees**

Transportation, Housing & Local Government  
Finance

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING RECORDING FEES, AND, IN CONNECTION THEREWITH,**  
102            **MODIFYING FEES COLLECTED BY COUNTY CLERK AND**  
103            **RECORDERS AND DELAYING THE ELECTRONIC RECORDING**  
104            **TECHNOLOGY BOARD'S REPEAL AND SUNSET REVIEW.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill modifies the fees collected by county clerk and recorders to be a flat \$40.00 fee instead of a fee per page, unless otherwise specified. The fees specified in current statute for the following services

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

are repealed so that the fee for each service is the flat \$40.00 fee:

- Filing bonds and licenses;
- Recording plats;
- Entering subsequent taxes paid in tax sale record;
- Entering certificate of redemption in tax sale record; and
- Recording all certificates, affidavits, deeds, or other documents containing the name of one or more mining claims and for indexing these under the name of each mining claim.

The bill further clarifies that no fee is allowed for the filing or recording of a certificate of death, a verification of death document, or a certified copy thereof, and makes conforming amendments.

The bill also delays the repeal and sunset review of the electronic recording technology board by 3 years so that it will take place 13 years after the board's creation in 2016.

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

2 **SECTION 1.** In Colorado Revised Statutes, 30-1-103, **amend** (1)  
3 and (2) introductory portion; **repeal** (2)(c), (2)(f), (2)(g), (2)(h), and  
4 (2)(m); and **add** (6) as follows:

5 **30-1-103. Fees of county clerk and recorders - report - repeal.**

6 (1) Fees collected by county clerk and recorders ~~shall be~~ ARE as follows:  
7 For filing or recording each document for which a fee is not specifically  
8 provided, except tax schedules and claims against the county, for which  
9 no fee ~~shall be~~ IS allowed, in cities and counties and in counties of every  
10 class, the ~~clerk shall receive ten~~ FEE IS FORTY dollars for ~~the first page and~~  
11 ~~five dollars for each additional page~~ DOCUMENT; EXCEPT THAT NO FEE IS  
12 ALLOWED FOR FILING OR RECORDING A CERTIFICATE OF DEATH, A  
13 VERIFICATION OF DEATH DOCUMENT, OR A CERTIFIED COPY THEREOF.

14 (2) In cities and counties and in every county, the following fees  
15 ~~shall~~ apply:

16 (c) ~~For filing each bond and license, five dollars;~~

17 (f) ~~For recording town plats, subdivision plats, and all other plats,~~

1 and for recording all documents in excess of eight and one-half inches in  
2 width or fourteen inches in length, ten dollars per sheet;

3 (g) For entering subsequent taxes paid in tax sale record, five  
4 dollars for each certificate;

5 (h) For entering certificate of redemption in tax sale record, five  
6 dollars for each certificate;

7 (m) For recording all certificates, affidavits, deeds, or other  
8 documents containing the name of one or more mining claims and for  
9 indexing the same under the name of each such mining claim, five dollars  
10 per page, plus twenty-five cents for each mining claim named therein.

11 (6) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2029.

12 **SECTION 2.** In Colorado Revised Statutes, 30-10-421, **amend**  
13 (1)(b) and (1)(c) as follows:

14 **30-10-421. Filing surcharge - definitions.** (1) (b) Beginning July  
15 1, 2004, and through ~~December 31, 2026~~ DECEMBER 31, 2029, the county  
16 clerk and recorder shall collect a surcharge of one dollar for each  
17 document received for recording or filing in ~~his or her~~ THE CLERK AND  
18 RECORDER'S office. The surcharge ~~shall be~~ IS in addition to any other fees  
19 permitted by statute.

20 (c) Beginning January 1, 2017, and through ~~April 30, 2026~~ APRIL  
21 30, 2029, the county clerk and recorder shall collect the surcharge  
22 imposed by the electronic recording technology board under section  
23 24-21-403 (2) for each document received for recording or filing in ~~HIS~~  
24 ~~OR HER~~ THE CLERK AND RECORDER'S office. The surcharge is in addition  
25 to any other fees permitted by statute.

26 **SECTION 3.** In Colorado Revised Statutes, 34-43-114, **repeal** (3)  
27 as follows:

1           **34-43-114. Affidavit of annual labor, improvements, or**  
2 **payment of federal claim rental fee - effect of filing.** (3) The fee for  
3 recording the affidavit described in subsection (1) of this section is set  
4 forth in section ~~30-1-103 (2)(m), C.R.S.~~

5           **SECTION 4.** In Colorado Revised Statutes, 38-25-105, **amend**  
6 (1)(b) as follows:

7           **38-25-105. Fees.** (1) (b) The fee charged by a county clerk and  
8 recorder for filing and indexing each notice of lien or certificate or notice  
9 affecting the lien ~~shall be five dollars~~ IS THE FEE SPECIFIED IN SECTION  
10 30-1-103 (1).

11           **SECTION 5.** In Colorado Revised Statutes, 38-50-101, **amend**  
12 (4)(a) and (4)(b) as follows:

13           **38-50-101. Survey plat - records file and index system -**  
14 **informational purpose.** (4) (a) The fee for depositing plats shall not  
15 exceed the amount of the fee collected for the recording of subdivision  
16 plats established in ~~section 30-1-103 (2)(f), C.R.S.~~ SECTION 30-1-103 (1).

17           (b) The fee for the county surveyor or, if a county surveyor has not  
18 been elected or appointed or if the office is vacant, another county official  
19 to index and maintain the plats as designated by the county  
20 commissioners shall not exceed the amount of the fee collected for the  
21 recording of subdivision plats established in ~~section 30-1-103 (2)(f),~~  
22 ~~C.R.S.~~ SECTION 30-1-103 (1).

23           **SECTION 6.** In Colorado Revised Statutes, 2-3-1203, **repeal**  
24 (17)(a)(V); and **add** (20)(a)(V) as follows:

25           **2-3-1203. Sunset review of advisory committees - legislative**  
26 **declaration - definition - repeal.** (17) (a) The following statutory  
27 authorizations for the designated advisory committees will repeal on

1 September 1, 2026:

2 (V) ~~The electronic recording technology board created in part 4~~  
3 ~~of article 21 of title 24;~~

4 (20) (a) The following statutory authorizations for the designated  
5 advisory committees will repeal on September 1, 2029:

6 (V) THE ELECTRONIC RECORDING TECHNOLOGY BOARD CREATED  
7 IN PART 4 OF ARTICLE 21 OF TITLE 24.

8 **SECTION 7.** In Colorado Revised Statutes, 24-21-403, **amend**  
9 **(2)** as follows:

10 **24-21-403. Core goals - powers and duties - rules.** (2) In order  
11 to accomplish its business purpose, the board may impose an electronic  
12 filing surcharge of up to two dollars that is uniformly collected on all  
13 documents received by a county clerk and recorder for recording or filing  
14 on or after January 1, 2017, through ~~April 30, 2026~~, APRIL 30, 2029.

15 **SECTION 8.** In Colorado Revised Statutes, 24-21-406, **amend**  
16 **(1)** introductory portion and **(3)** as follows:

17 **24-21-406. Reporting - annual - five-year report.**  
18 (1) Notwithstanding section 24-1-136 (11), on or before September 1,  
19 2017, and each September 1 thereafter until ~~September 1, 2025~~,  
20 SEPTEMBER 1, 2028, the board shall prepare a report that, for each grant  
21 made during the prior fiscal year, describes the:

22 (3) On or before January 1, 2021, and before ~~January 1, 2026~~,  
23 JANUARY 1, 2029, the board shall report to the general assembly about the  
24 overall success of the grant program established by this part 4.

25 **SECTION 9.** In Colorado Revised Statutes, **amend** 24-21-407 as  
26 follows:

27 **24-21-407. Repeal of part.** NOTWITHSTANDING SECTION 2-3-1203

1 (1)(a), this part 4 is repealed, effective ~~September 1, 2026~~ SEPTEMBER 1,  
2 2029. Prior to such repeal, the board shall be reviewed as provided in  
3 section 2-3-1203.

4 **SECTION 10. Act subject to petition - effective date -**  
5 **applicability.** (1) This act takes effect January 1, 2025; except that, if a  
6 referendum petition is filed pursuant to section 1 (3) of article V of the  
7 state constitution against this act or an item, section, or part of this act  
8 within the ninety-day period after final adjournment of the general  
9 assembly, then the act, item, section, or part will not take effect unless  
10 approved by the people at the general election to be held in November  
11 2024 and, in such case, will take effect January 1, 2025, or on the date of  
12 the official declaration of the vote thereon by the governor, whichever is  
13 later.

14 (2) This act applies to documents filed or recorded on or after the  
15 applicable effective date of this act.