

CHAPTER 213

GOVERNMENT - COUNTY

SENATE BILL 17-129

BY SENATOR(S) Sonnenberg, Baumgardner, Cooke, Gardner, Martinez Humenik, Priola, Tate;
also REPRESENTATIVE(S) Arndt and Becker J., Gray, Hansen.

AN ACT

CONCERNING THE ELECTRONIC PRESERVATION OF A PLAT RECORDED BY A COUNTY CLERK AND RECORDER.

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

SECTION 1. In Colorado Revised Statutes, **amend** 31-23-108 as follows:

31-23-108. Record and preservation - definition. The county clerk and recorder shall record all such plats of lands within his OR HER county together with the description, acknowledgment, or other writing thereon in a book to be kept by ~~him~~ for that purpose and, when necessary, may reduce the scale of any such plat. Upon each record in the book he OR SHE shall endorse his OR HER certificate that the same is truly recorded from the original plat filed in his OR HER office. ~~Every such original plat shall be preserved by the county clerk and recorder. Such~~ THE COUNTY CLERK AND RECORDER SHALL PRESERVE THE ORIGINAL PLAT IN THE ORIGINAL FORMAT, AN ELECTRONIC FORMAT, OR BOTH. IF THE ORIGINAL PLAT IS PRESERVED IN AN ELECTRONIC FORMAT, THEN THE COUNTY CLERK AND RECORDER SHALL SCAN THE PLAT AT A MINIMUM RESOLUTION OF THREE HUNDRED DOTS PER INCH. THE county clerk and recorder shall keep an index to such book of plats, which index shall contain the names of the parties acknowledging such plats and the name of the city or town, as the case may be. ~~Said~~ THE county clerk and recorder shall likewise make entries of all ~~such~~ THE plats in the index in his OR HER office in which deeds are required to be entered. AS USED IN THIS SECTION, "ELECTRONIC" MEANS RELATING TO TECHNOLOGY HAVING ELECTRICAL, DIGITAL, MAGNETIC, WIRELESS, OPTICAL, ELECTROMAGNETIC, OR SIMILAR CAPABILITIES.

SECTION 2. In Colorado Revised Statutes, 38-50-101, **add** (7) as follows:

38-50-101. Survey plat - records file and index system - informational

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

purpose. (7) IF AN ELECTRONIC FILING SYSTEM IS ESTABLISHED IN ACCORDANCE WITH SUBSECTION (6) OF THIS SECTION OR SECTION 31-23-108, THEN THE BOARD OF COUNTY COMMISSIONERS MAY PROVIDE ADDITIONAL FUNDING AND SPACE SUITABLE FOR A COUNTY SURVEYOR OR ANY OTHER APPROPRIATE LOCAL GOVERNMENT OFFICIAL TO STORE ORIGINAL MYLAR, PAPER, OR POLYESTER SHEETS OF SUBDIVISION PLATS AND LAND SURVEY PLATS.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 18, 2017