

LOCAL GOVERNMENT - AMEND PUBLIC RECORDS REGULATION

Act of Feb. 18, 1998, P.L. 184, No. 30

CL. 53

Session of 1998

No. 1998-30

HB 1116

AN ACT

Amending the act of May 11, 1949 (P.L.1076, No.311), entitled "An act authorizing the recording, copying and recopying, of documents, plats, papers, written instruments, records and books on file or of record, and the replacement and certification of originals previously filed and of record, by officers of counties of the first class and of cities of the first class, by photostatic, photographic, microphotographic, microfilm, or other mechanical process; relating to the effect and use of such copies, records, reproductions, replacements and transcripts, or certified copies thereof, and providing for additional methods for revision of and entries to be made on originals and copies so produced or replaced," changing the title; further providing for additional methods for the recording, copying and maintenance of records; and providing for an additional fee.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The title and section 1 of the act of May 11, 1949 (P.L.1076, No.311), entitled "An act authorizing the recording, copying and recopying, of documents, plats, papers, written instruments, records and books on file or of record, and the replacement and certification of originals previously filed and of record, by officers of counties of the first class and of cities of the first class, by photostatic, photographic, microphotographic, microfilm, or other mechanical process; relating to the effect and use of such copies, records, reproductions, replacements and transcripts, or certified copies thereof, and providing for revision of and entries to be made on originals and copies so produced or replaced," are amended to read:

AN ACT

Authorizing the recording, copying and recopying, of documents, plats, papers, written instruments, records and books on file or of record, and the replacement and certification of originals previously filed and of record, by officers of counties of the first class and of cities of the first class, by photostatic, photographic, microphotographic, microfilm, or other mechanical process; relating to the effect and use of such copies, records, reproductions, replacements and transcripts, or certified copies thereof[,]; **providing for a recording fee and its use;** and providing for revision of and entries to be made on originals and copies so produced or replaced.

Section 1. Whenever any officer of any county of the first class or of any city of the first class is required or authorized by law [to record, copy, recopy, or replace, any document, plat, paper, written instrument, or book, on file or of record in his office, he may do so by photostatic, photographic, microphotographic, microfilm, or other mechanical

process which produces a clear, accurate, and permanent, copy or reproduction of the original document, plat, paper, written instrument, or record, in accordance with standards not less than those approved for permanent records by the National Bureau of Standards.] or otherwise to record, copy or recopy any document, plat, paper or instrument of writing, he may do so by any photostatic, photographic, microphotographic, microfilm, microcard, miniature photographic, optical, electronic or other process which accurately reproduces the original and forms a durable medium for recording, storing and reproducing the original in accordance with standards, policies and procedures for the creation, maintenance, transmission or reproduction of images of records not less than those approved by the National Institute of Standards and Technology. Any document, plat, paper or instrument of writing within the scope of this section and which previously has been recorded, copied or recopied also may be reproduced by processes authorized by this section.

Section 2. The act is amended by adding a section to read:

Section 1.1. In addition to any other fee provided by law, including any fee set by local ordinance, a fee in the amount of \$2 shall be charged and collected for each document recorded by the recorder of deeds or equivalent officer of any city or county of the first class. Fees collected pursuant to this section shall be paid into the general fund of such city or county for appropriation solely to the office of the recorder of deeds or equivalent officer of any city or county of the first class to be used, in accordance with regular budgeting, contracting and procurement practices, to support development and improvement of office records management activities and systems in the office of the recorder of deeds or in its equivalent. Amounts so appropriated shall not be used to substitute any allocations of general fund revenues for the operation of the recorder's office.

Section 3. This act shall take effect April 1, 1998.

APPROVED--The 18th day of February, A. D. 1998.

THOMAS J. RIDGE