
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2680 Session of
2018

INTRODUCED BY HARPER, JAMES, EVERETT, MILLARD, RADER AND HILL-
EVANS, OCTOBER 1, 2018

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, OCTOBER 1, 2018

AN ACT

1 Amending the act of April 8, 1982 (P.L.310, No.87), entitled "An
2 act establishing fees for services of recorders of deeds in
3 counties of the second A, third, fourth, fifth, sixth,
4 seventh and eighth classes and home rule charter counties of
5 these classes; authorizing a special deed and mortgage
6 recording fee in certain counties; and establishing county
7 demolition funds," further providing for general fees;
8 providing for fees for recording certain instruments; further
9 providing for County Records Improvement Fund; and making a
10 related repeal.

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

13 Section 1. Section 1 of the act of April 8, 1982 (P.L.310,
14 No.87), referred to as the Recorder of Deeds Fee Law, is amended
15 to read:

16 Section 1. [The] Except as provided under section 1.1, fees
17 of the recorders of deeds, or an equivalent officer in a home
18 rule charter county, in counties of the second A, third, fourth,
19 fifth, sixth, seventh and eighth classes shall be as follows:

20

21 Instrument

Fee

up to

4 names and
4 pages
exclusive of notations

1	Adjudication, certified excerpt.....	\$11.50
2	Agreement.....	11.50
3	Articles of incorporation.....	11.50
4	Amendments.....	11.50
5	Assignments <u>other than mortgage assignments</u>	11.50
6	Award.....	11.50
7	Branding.....	11.50
8	Charter.....	11.50
9	Commission - district judge.....	14.50
10	Commission - notary public and bond.....	14.50
11	Commission - police and oath.....	14.50
12	Condominium:	
13	Code of regulations.....	11.50
14	Declaration of plans.....	11.50
15	Plan (24 x 36).....	25.00
16	Consent form.....	11.50
17	Correction instrument or re-recording <u>to the</u>	11.50
18	<u>extent not related to a document listed in section</u>	
19	<u>1.1</u>	
20	Decree of court of feme sole trader.....	11.50
21	[Deed.....	11.50
22	Each additional description.....	.50
23	Each additional parcel number.....	.50]
24	Declaration of taking or trust.....	11.50
25	Discharge (veteran).....	Free
26	Distribution.....	11.50
27	[Easements.....	11.50]

1	Election to take.....	11.50
2	[Extension of mortgage.....	11.50]
3	Finance statements.....	9.50
4	Secured transaction.....	9.50
5		on standard
6		form
7	Assignment or release.....	9.50
8		on standard
9		form
10	Continuation.....	9.50
11		on standard
12		form
13	Termination.....	9.50
14		on standard
15		form
16	Finance statement-nonstandard-first supplement	
17	page.....	2.00
18	Each additional supplement page.....	1.00
19	Leases <u>for terms of less than 30 years</u>	11.50
20	[Mortgages.....	11.50
21	Each additional description.....	.50
22	Each additional parcel number.....	.50
23	Mortgage satisfaction.....	5.00]
24	Order of court (except to satisfy).....	11.50
25	Order to satisfy lost mortgage.....	11.50
26	Ordinances.....	11.50
27	[Power of attorney.....	11.50
28	Release.....	11.50
29	Re-recording.....	11.50
30	Revocation.....	11.50

1	Right-of-way.....	11.50
2	Sheriff's deed.....	11.50
3	Mortgage satisfaction piece.....	11.50]
4	Termination of Federal tax lien.....	9.50
5	Filing fee for Act No. 287 of 1974.....	5.00
6	Copy - each township	2.00
7	Preferential assessments under Act No. 319 of	
8	1974.....	11.50
9	Certification and seal.....	1.50
10	Each name over four <u>to the extent not related to</u>	
11	<u>a document listed in section 1.1</u>50
12	Each page or part over four <u>to the extent not</u>	
13	<u>related to a document listed in section 1.1</u>	2.00
14	Each marginal notation <u>to the extent not related</u>	
15	<u>to a document listed in section 1.1</u>	2.00
16	State highway and/or mining plans - first page.	10.00
17	Each additional page.....	3.00
18	Each name indexed.....	.50
19	Subdivision plans - fee to be set by recorder of	
20	deeds	
21	Acknowledgments.....	2.00
22	Searches:	
23	Financial statements each debtor.....	5.00
24	Additional fee for each financing statement	
25	found and for each statement of assignment	
26	reported therein.....	1.00
27	Ownership.....	5.00
28	Change of name.....	5.00
29	[Mortgage assignment.....	5.00]
30	Ancillary transaction.....	5.00

1 Copies:
2 Per page..... .50
3 Certification..... 1.50

4 Where no fee is specified in this section or in section 1.1
5 the fee shall be set by the recorder of deeds.

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

7 Section 1.1. (a) In counties of the second A, third,
8 fourth, fifth, sixth, seventh and eighth classes, the fees of
9 the recorders of deeds for the instruments listed under
10 subsection (b) may not exceed the following:

11 (1) a fee of \$50 for the first 50 pages of an
12 instrument;

13 (2) additional fees not to exceed \$4 for each additional
14 page or fraction of a page exceeding 50 pages; and

15 (3) a fee of \$1 per name in excess of 50 names.

16 (b) The instruments subject to a fee imposed under this
17 section shall include all of the following:

18 (1) Deeds in any form.

19 (2) Easements.

20 (3) Leases for a term of 30 years or longer.

21 (4) Installment sales agreements.

22 (5) Mortgages.

23 (6) Mortgage assignments.

24 (7) Mortgage modifications, extensions or any other
25 amendments to a mortgage.

26 (8) Mortgage releases.

27 (9) Mortgage satisfactions.

28 (10) Mortgage satisfaction pieces.

29 (11) Powers of attorney.

30 (12) Rights-of-way.

1 (c) A county shall be subject to the following:

2 (1) Any additional fee established in accordance with 53
3 Pa.C.S. § 6011(a) (relating to affordable housing programs
4 fee in counties) shall be imposed at a flat rate not to
5 exceed 100% of fees collected under subsection (a).

6 (2) Any additional fee established in accordance with
7 the act of January 15, 1988 (P.L.1, No.1), known as the
8 Uniform Parcel Identifier Law, shall be imposed at a flat
9 rate per certification or uniform parcel identifier.

10 (d) Within 120 days of the effective date of this section,
11 the governing body of each county shall, by resolution or
12 ordinance, establish fees in accordance with subsections (a) and
13 (c), if applicable. No more frequently than every two years, a
14 county may adjust those fees within the limitations of this
15 section. At least 30 days prior to the enactment of an ordinance
16 or resolution under this subsection, the governing body of the
17 county shall obtain from the recorder of deeds an estimate of
18 the minimum fees necessary to fund operations of the office.

19 (e) Other than a fee established under this section or
20 another statutory fee, no fee may be charged by a recorder of
21 deeds for the recording of an instrument listed in subsection
22 (b) for or based on any of the following:

23 (1) Certification and seal.

24 (2) Number of pages.

25 (3) Number of names.

26 (4) Number of marginal references.

27 (5) Type of instrument.

28 (6) Rejection of instrument due to defect, regardless of
29 amount of times rejected.

30 (f) As used in this section, the following words and phrases

1 shall have the meanings given to them in this subsection unless
2 the context clearly indicates otherwise:

3 "Flat rate." A rate that does not vary based on any factor
4 under subsection (d).

5 "Recorder of deeds." A recorder of deeds or, in a home rule
6 county without a recorder of deeds, the officer with equivalent
7 powers and duties.

8 "Statutory fee." Any fee, tax or surcharge required by law
9 to be collected upon the recording of a document, including, but
10 not limited to, the surcharges imposed under section 2802-E of
11 the act of April 9, 1929 (P.L.177, No.175), known as The
12 Administrative Code of 1929, or section 1795.1-E of the act of
13 April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

14 Section 3. Section 2.1 of the act is amended to read:

15 Section 2.1. (a) There is hereby created a County Records
16 Improvement Fund in counties of the second A, third, fourth,
17 fifth, sixth, seventh and eighth classes and home rule charter
18 counties of these classes.

19 (b) In addition to the fee charged by a recorder of deeds or
20 by an equivalent officer in a home rule charter county, a flat
21 rate fee in the amount of [\$5] \$10 shall be charged and
22 collected for each document recorded. The fee shall be
23 distributed in the following manner:

24 (1) The amount of [\$3] \$5 shall be retained in a
25 separate fund within the office of the recorder of deeds to
26 be used, in accordance with regular county budgeting,
27 contracting and procurement practices, to support development
28 and improvement of office records management activities and
29 systems in the office of the recorder of deeds or in its
30 equivalent in a home rule charter county. Amounts in the

1 separate fund shall not be used to substitute any allocations
2 of general revenues for the operation of the recorder's
3 office without the express consent of the recorder. The
4 separate fund shall be audited by the appropriate auditing
5 agency, and any unexpended balance, together with interest
6 earned on the separate fund, shall be left in the separate
7 fund to accumulate from year to year. Beginning with the
8 close of the fiscal year four years after the effective date
9 of this section and every four years thereafter, any
10 unencumbered funds remaining in the separate fund shall be
11 transferred to the County Records Improvement Fund.

12 (2) The amount of [\$2] \$5 shall be deposited in the
13 County Records Improvement Fund for use as prescribed in
14 subsection (c).

15 (c) Funds deposited in the County Records Improvement Fund
16 shall be expended in accordance with a comprehensive records
17 management plan based on the goal of standardizing and
18 equalizing the capabilities of all county offices consistent
19 with their need to receive, manage and provide information to
20 the public as efficiently as possible. The plan shall be
21 developed and administered in the following manner:

22 (1) Each county shall establish a County Records
23 Improvement Committee made up of the county commissioners,
24 sheriff, prothonotary, clerk of court, register of wills and
25 treasurer or their equivalent in a home rule charter county.
26 The County Records Improvement Committee shall assess the
27 relative records management capabilities and records
28 management needs of each office and develop recommendations
29 to the county commissioners for a comprehensive records
30 management plan consistent with the goal established in this

1 subsection.

2 (2) The county commissioners or their equivalent in a
3 home rule charter county shall adopt and provide for
4 administration of a comprehensive records management plan
5 that is based on the recommendations of the County Records
6 Improvement Committee and is consistent with the goal
7 established in this subsection. The plan may be amended from
8 time to time in consultation with the County Records
9 Improvement Committee.

10 (3) The County Records Improvement Fund shall be
11 expended and administered consistent with regular county
12 budgeting, contracting and procurement practices and
13 administrative procedures. The County Records Improvement
14 Fund shall be audited by the appropriate auditing agency, and
15 any unexpended balance, together with interest earned on the
16 County Records Improvement Fund, shall be left in the County
17 Records Improvement Fund to accumulate from year to year.

18 Section 4. Repeals are as follows:

19 (1) The General Assembly declares that the repeal under
20 paragraph (2) is necessary to effectuate the provisions of
21 this act.

22 (2) 53 Pa.C.S. § 6011(b) is repealed.

23 Section 5. This act shall take effect in 120 days.