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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2732 Session of  
2020

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INTRODUCED BY POLINCHOCK, BRIGGS, CIRESI, JAMES, MALAGARI,  
NEILSON, READSHAW, SCHROEDER, TOEPEL AND ZIMMERMAN,  
JULY 30, 2020

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JULY 30, 2020

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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 title of act;  
8 repealing provisions relating to fee schedule; providing for  
9 definitions and for fees for recordation of documents;  
10 further providing for County Records Improvement Fund and for  
11 county demolition fund; and making related repeals.

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

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

17 AN ACT

18 Establishing [fees for services of recorders of deeds] a  
19 predictable fee for recordation of documents in counties of  
20 the second A, third, fourth, fifth, sixth, seventh and eighth  
21 classes and home rule charter counties of these classes;  
22 authorizing a special deed and mortgage recording fee in

1 certain counties; and establishing county demolition funds.

2 Section 2. Section 1 of the act is repealed:

3 [Section 1. The fees of the recorders of deeds in counties  
4 of the second A, third, fourth, fifth, sixth, seventh and eighth  
5 classes shall be as follows:

6 Instrument	7 Fee
	8 up to
	9 4 names and
	10 4 pages
	exclusive of notations
11 Adjudication, certified excerpt.....	\$11.50
12 Agreement.....	11.50
13 Articles of incorporation.....	11.50
14 Amendments.....	11.50
15 Assignments.....	11.50
16 Award.....	11.50
17 Branding.....	11.50
18 Charter.....	11.50
19 Commission - district judge.....	14.50
20 Commission - notary public and bond.....	14.50
21 Commission - police and oath.....	14.50
22 Condominium:	
23 Code of regulations.....	11.50
24 Declaration of plans.....	11.50
25 Plan (24 x 36).....	25.00
26 Consent form.....	11.50
27 Correction instrument or re-recording.....	11.50
28 Decree of court of feme sole trader.....	11.50
29 Deed.....	11.50
30 Each additional description.....	.50

1	Each additional parcel number.....	.50
2	Declaration of taking or trust.....	11.50
3	Discharge (veteran).....	Free
4	Distribution.....	11.50
5	Easements.....	11.50
6	Election to take.....	11.50
7	Extension of mortgage.....	11.50
8	Finance statements.....	9.50
9	Secured transaction.....	9.50
10		on standard
11		form
12	Assignment or release.....	9.50
13		on standard
14		form
15	Continuation.....	9.50
16		on standard
17		form
18	Termination.....	9.50
19		on standard
20		form
21	Finance statement-nonstandard-first supplement	
22	page.....	2.00
23	Each additional supplement page.....	1.00
24	Leases.....	11.50
25	Mortgages.....	11.50
26	Each additional description.....	.50
27	Each additional parcel number.....	.50
28	Mortgage satisfaction.....	5.00
29	Order of court (except to satisfy).....	11.50
30	Order to satisfy lost mortgage.....	11.50

1	Ordinances.....	11.50
2	Power of attorney.....	11.50
3	Release.....	11.50
4	Re-recording.....	11.50
5	Revocation.....	11.50
6	Right-of-way.....	11.50
7	Sheriff's deed.....	11.50
8	Mortgage satisfaction piece.....	11.50
9	Termination of Federal tax lien.....	9.50
10	Filing fee for Act No. 287 of 1974.....	5.00
11	Copy - each township	2.00
12	Preferential assessments under Act No. 319 of	
13	1974.....	11.50
14	Certification and seal.....	1.50
15	Each name over four.....	.50
16	Each page or part over four.....	2.00
17	Each marginal notation.....	2.00
18	State highway and/or mining plans - first page.	10.00
19	Each additional page.....	3.00
20	Each name indexed.....	.50
21	Subdivision plans - fee to be set by recorder of	
22	deeds	
23	Acknowledgments.....	2.00
24	Searches:	
25	Financial statements each debtor.....	5.00
26	Additional fee for each financing statement	
27	found and for each statement of assignment	
28	reported therein.....	1.00
29	Ownership.....	5.00
30	Change of name.....	5.00

1	Mortgage assignment.....	5.00
2	Ancillary transaction.....	5.00
3	Copies:	
4	Per page.....	.50
5	Certification.....	1.50

6 Where no fee is specified the fee shall be set by the  
7 recorder of deeds.]

8 Section 3. The act is amended by adding sections to read:

9 Section 1.1. The following words and phrases when used in  
10 this act shall have the meanings given to them in this section  
11 unless the context clearly indicates otherwise:

12 "Document." Any document or instrument, other than a veteran  
13 discharge paper, delivered to a recorder of deeds which is  
14 required by law or is eligible to be recorded in person, by  
15 mail, electronically or in any other manner.

16 "Flat rate." A rate that does not vary based on any factor  
17 under section 1.2(b).

18 "Statutory fee." Any fee, tax or surcharge required by  
19 regulation or act of the General Assembly to be collected upon  
20 recordation of a document, including, but not limited to, the  
21 surcharges imposed under section 2802-E of the act of April 9,  
22 1929 (P.L.177, No.175), known as The Administrative Code of  
23 1929, or section 1795.1-E of the act of April 9, 1929 (P.L.343,  
24 No.176), known as The Fiscal Code.

25 Section 1.2. (a) The fees of the recorders of deeds in  
26 counties of the second A, third, fourth, fifth, sixth, seventh  
27 and eighth classes, or equivalent officers in home rule charter  
28 counties, for the recordation of a document shall not exceed  
29 \$50. An additional fee of \$1 per name in excess of 50 names may  
30 be imposed for a document containing more than 50 names.

1 (b) No fee, other than a fee established under this section  
2 or another statutory fee, shall be charged by a recorder of  
3 deeds, or by an equivalent officer in a home rule charter  
4 county, for the recordation of a document based on, or  
5 including, certification and seal, number of pages, number of  
6 names, number of marginal references, type of document or  
7 rejection of document regardless of the number of times  
8 rejected, or otherwise.

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

10 (1) An additional fee established in accordance with 53  
11 Pa.C.S. § 6011(a) (relating to affordable housing programs fees  
12 in counties) shall be imposed at a flat rate not to exceed 100%  
13 of fees collected under subsection (a).

14 (2) An additional fee established in accordance with the act  
15 of January 15, 1988 (P.L.1, No.1), known as the Uniform Parcel  
16 Identifier Law, shall be imposed at a flat rate per uniform  
17 parcel identifier, except that no fee shall be imposed for the  
18 first uniform parcel identifier.

19 (3) Notwithstanding any other provision of law, a recorder  
20 of deeds may charge 50¢ per page for copies and \$1.50 for  
21 certifications of previously recorded documents.

22 (d) The governing body of each county shall, by resolution  
23 or ordinance, establish fees in accordance with subsections (a)  
24 and (c)(1) and (2), to the extent the fees are imposed by the  
25 county, within 120 days of the effective date of this section  
26 and may, no more frequently than every two years, adjust those  
27 fees within the limitations of this section. At least 30 days  
28 prior to the enactment of any ordinance or resolution  
29 establishing or adjusting fees in accordance with this section,  
30 the governing body shall obtain from the recorder of deeds, or

1 equivalent officer in home rule counties, an estimate of the  
2 minimum fees necessary to fund operations of the office. In the  
3 absence of a resolution or ordinance by the governing body of a  
4 county, the fee for the recordation of a document shall be \$50.

5 Section 4. Sections 2.1(b) and 2.2(b) of the act are amended  
6 to read:

7 Section 2.1. \* \* \*

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

13 (1) The amount of \$3 shall be retained in a separate  
14 fund within the office of the recorder of deeds to be used,  
15 in accordance with regular county budgeting, contracting and  
16 procurement practices, to support development and improvement  
17 of office records management activities and systems in the  
18 office of the recorder of deeds or in its equivalent in a  
19 home rule charter county. Amounts in the separate fund shall  
20 not be used to substitute any allocations of general revenues  
21 for the operation of the recorder's office without the  
22 express consent of the recorder. The separate fund shall be  
23 audited by the appropriate auditing agency, and any  
24 unexpended balance, together with interest earned on the  
25 separate fund, shall be left in the separate fund to  
26 accumulate from year to year. Beginning with the close of the  
27 fiscal year four years after the effective date of this  
28 section and every four years thereafter, any unencumbered  
29 funds remaining in the separate fund shall be transferred to  
30 the County Records Improvement Fund.

1           (2) The amount of \$2 shall be deposited in the County  
2 Records Improvement Fund for use as prescribed in subsection  
3 (c).

4 \* \* \*

5 Section 2.2. \* \* \*

6           (b) In addition to the fees charged by a recorder of deeds  
7 or an equivalent officer in a county, the governing body of the  
8 county may, by resolution or ordinance, authorize the recorder  
9 of deeds to charge and collect a flat rate fee not to exceed \$15  
10 for each deed and mortgage recorded. The fee shall be deposited  
11 into the county demolition fund to be used exclusively for the  
12 demolition of blighted property situate in the county.

13 \* \* \*

14 Section 5. Repeals are as follows:

15           (1) The General Assembly declares that the repeals under  
16 paragraph (2) are necessary to effectuate the provisions of  
17 this act.

18           (2) The following acts and parts of acts are repealed:

19                 (i) 53 Pa.C.S. § 6011(b).

20                 (ii) The act of December 17, 1986 (P.L.1685,  
21 No.197), relating to recorder of deeds - charges for  
22 accepting documents.

23 Section 6. This act shall take effect immediately.