

AMENDED IN SENATE JUNE 25, 2015

AMENDED IN ASSEMBLY MAY 18, 2015

AMENDED IN ASSEMBLY APRIL 20, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 679

Introduced by Assembly Member Travis Allen

February 25, 2015

An act to amend Section ~~27361.6~~ 27320 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 679, as amended, Travis Allen. Documents: recordation.

Existing law requires the recorder of each county, upon payment of proper fees and taxes, to accept for recordation any instrument, paper, or notice that is authorized or required by law to be recorded. Existing law *further* requires ~~those documents to comply with specified standards respecting margins, quality of paper, print size and color, and other related matters.~~ *the recorder, when any instrument authorized by law to be recorded is deposited in the recorder's office for record, to endorse upon the instrument in the order in which it is deposited, the year, month, day, hour, and minute of its reception, and the amount of fees for recording.*

This bill would *additionally* require ~~any instrument, paper, or notice presented for recordation to state~~ *the recorder to endorse upon the instrument* the number of pages to be recorded. ~~This bill would authorize the number of pages to be recorded to be stated on a cover page or a~~

~~sticker, as specified, and would require the county recorder to verify that the number of pages to be recorded stated on the cover page or sticker match the number of pages presented for recordation. of the instrument.~~

By imposing new duties upon the county recorder, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. ~~Section 27361.6 of the Government Code is~~
2 ~~amended to read:~~

3 27361.6. (a) ~~Except as otherwise provided by law or regulation,~~
4 ~~all documents submitted for recording shall have at least a ½-inch~~
5 ~~margin on the two vertical sides, except in the space reserved for~~
6 ~~recording information. At least the top 2 ½ inches of the first page~~
7 ~~or sheet shall be reserved for recording information. The left-hand~~
8 ~~3 ½ inches of the space shall be used by the public to show the~~
9 ~~name of the person requesting recording and the name and address~~
10 ~~to which the document is to be returned following recording. In~~
11 ~~the event the first page or sheet of a document does not comply~~
12 ~~with these requirements, a separate page shall be attached by the~~
13 ~~party requesting recording to the front of the document that meets~~
14 ~~these criteria and that reflects the title or titles of the document as~~
15 ~~required by Section 27324. Any printed form accepted for~~
16 ~~recordation that does not comply with this subdivision shall not~~
17 ~~affect the notice otherwise imparted by recording.~~

18 (b) ~~All instruments, papers, or notices presented for recordation~~
19 ~~shall be on a quality of paper and contain print of a size and color~~
20 ~~that will reproduce legibly by microphotographic or imaging~~
21 ~~processes as set forth in Sections 26205.5 and 27322.2.~~

22 (c) ~~Any instrument, paper, or notice presented for recordation~~
23 ~~that in any way modifies, releases, or cancels the provisions of a~~
24 ~~previously recorded document shall state the recorder identification~~

1 number or book and page of the document number being modified,
2 released, or canceled.

3 ~~(d) (1) Any instrument, paper, or notice presented for~~
4 ~~recordation shall state the number of pages to be recorded.~~

5 ~~(2) (A) The number of pages to be recorded may be stated on~~
6 ~~a cover page or a sticker on the first page of the instrument, paper,~~
7 ~~or notice.~~

8 ~~(B) The county recorder shall verify that the number of pages~~
9 ~~to be recorded stated on the cover page or sticker match the number~~
10 ~~of pages presented for recordation.~~

11 *SECTION 1. Section 27320 of the Government Code is*
12 *amended to read:*

13 27320. When any instrument authorized by law to be recorded
14 is deposited in the recorder's office for record, the recorder shall
15 endorse upon it in the order in which it is deposited, the year,
16 month, day, hour, and minute of its reception, *its number of pages*,
17 and the amount of fees for recording. The recorder shall record it
18 without delay, together with the—~~acknowledgements~~;
19 *acknowledgments*, proofs, certificates, and prior recording data
20 written upon or annexed to it, with the plats, surveys, schedules,
21 and other papers thereto annexed, and shall note on the record its
22 identification number, and the name of the person at whose request
23 it is recorded. Efforts shall be made to assign identification
24 numbers sequentially, but an assignment of a nonsequential number
25 may be made if not in violation of express recording instructions
26 regarding a group of concurrently recorded instruments and if, in
27 the discretion of the county recorder, such assignment best serves
28 the interest of expeditious recording.

29 SEC. 2. No reimbursement is required by this act pursuant to
30 Section 6 of Article XIII B of the California Constitution because
31 a local agency or school district has the authority to levy service
32 charges, fees, or assessments sufficient to pay for the program or
33 level of service mandated by this act, within the meaning of Section
34 17556 of the Government Code.

O