

AMENDED IN SENATE JUNE 21, 2010

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1919

Introduced by Assembly Member Davis

February 16, 2010

An act to amend Section 27585 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1919, as amended, Davis. Local government: county surveyor: survey monument preservation fund.

Existing law authorizes the board of supervisors of a county to establish a survey monument preservation fund and to impose a user fee, not to exceed \$10, to be charged and collected by the county recorder as a condition to the filing or recording of any grant deed conveying real property except for those grant deeds conveying lots created by recorded tract maps. *Existing law requires that the fees be forwarded monthly by the county recorder to the county treasurer for deposit to the fund.*

This bill would delete this exemption from the user fee. *The bill would also require, prior to the forwarding of the fee to the county treasurer, the deduction and retention of an amount not to exceed 10% for reimbursing the county recorder for expenses incurred in carrying out these provisions.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

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

1 SECTION 1. Section 27585 of the Government Code is
 2 amended to read:

3 27585. (a) For the limited purpose of financing the survey
 4 monument preservation fund pursuant to Section 27584, the board
 5 may impose a user fee, not to exceed ten dollars (\$10), or an
 6 amount set pursuant to ~~Section 54985 Chapter 12.5 (commencing~~
 7 ~~with Section 54895) of Division 2 of Title 5~~, which shall be charged
 8 and collected by the county recorder, over and above any other
 9 fees required by law, as a condition precedent to the filing or
 10 recording of any grant deed conveying real property. ~~Except as~~
 11 ~~otherwise provided in subdivision (b), the fees shall be forwarded~~
 12 ~~monthly by the county recorder to the county~~ *Except as otherwise*
 13 *provided in subdivision (b), the county recorder shall, after*
 14 *deducting and retaining an amount not to exceed 10 percent solely*
 15 *for reimbursement of expenses incurred in carrying out this section,*
 16 *forward the fees monthly to the county treasurer for deposit to the*
 17 *county survey monument preservation fund. Following the*
 18 *establishment of the fund, the board of supervisors may extinguish*
 19 *the fund if a finding is made by the board that the need for the fund*
 20 *no longer exists.*

21 (b) Notwithstanding subdivision (a) or (c), if a city engineer of
 22 a city with a population of more than 1,500,000 persons conducts
 23 the survey pursuant to Section 27584, any user fees collected
 24 pursuant to subdivision (a) on and after January 1, 1987, with
 25 respect to any grant deed conveying real property located wholly
 26 within the city, shall be transferred monthly by the county recorder
 27 to the city treasurer of the city to reimburse the city for the
 28 expenses incurred by the city engineer in conducting that survey.

29 ~~(e) Notwithstanding Section 2231 of the Revenue and Taxation~~
 30 ~~Code, and except as otherwise provided in subdivision (b), no~~

31 (c) *Except as provided in subdivision (b), no funds collected by*
 32 *the county recorder for the survey monument preservation fund*
 33 *shall be transferred to, or deposited in, any other fund or used for*
 34 *any other purpose.*

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