

	DUTIES for which the Board of County Commissioners could change the actor	Would NOT change
25	19-514 may not buy, directly or indirectly, any government warrant for any sum less than full par value except as necessary to pay taxes; must file an affidavit that the provisions were not violated; penalty for violation	19-513 must deliver all county records to successor
26	19-515 collect taxes	
27	19-516 provide written statements for real and personal property taxes	
28	19-517 may not make, demand or retain any fee for a tax notice or for accepting payment through the mail	
29	19-518 cancel any tax receipt if a check for taxes bounces	
30	19-519 fine if a treasurer fails to provide a tax statement or receives payment for the statement itself	
31	19-520 provide quarterly financial statements by fund, with accounts for each township, city, school or other district shown clearly	
32	19-521 must swear to the quarterly statements; the penalty for swearing falsely is one year in the custody of the Secretary of Corrections and loss of position	
33	19-524 the statement must be published in the official county newspaper and a copy posted in the official's office	
34	19-525 penalty for failing to properly publish and post the statement	
35	19-531 must make a duplicate copy of any deposit ticket and file the copy with the county clerk	
36	19-532 how the clerk accounts for deposits made by the treasurer	
37	19-533 the county fiscal agent must transmit to the clerk a statement of amounts received by the treasurer and the amounts paid and for what purpose	
38	19-534 each check not issued as part of a warrant check must show its purpose on the front and, in counties with population of less than 40,000, be countersigned by the county clerk	
39	19-535 how the clerk accounts for checks countersigned with the treasurer	19-537 penalty to clerk and treasurer for violating 19-531 - 19-537: fine up to \$500, removed from office
40	19-547 publication of a statement of taxes unpaid as of October 1	
41	19-548 penalty for failing to properly publish and post the statement of unpaid taxes	
	Duties of the register of deeds	
42	19-1204 <i>(In general, changes "register of deeds" to "records officer designated by the Board" in these statutes)</i> have custody of and preserve all books, records, deeds, maps, papers and microphotographs deposited or kept in the office; record all deeds, mortgages, maps, instruments and writings authorized by law	19-1201 election of a register of deeds; register of deeds must get a bond
43	19-1205 keep an index to all records	19-1202 may appoint a deputy, must supervise employees
44	19-1206 endorse each instrument received and note the date and time of its reception and the fees received; make an entry of each filing in the receiving book; after recording, deliver it to the person authorized to receive it and make a notation of the delivery	19-1203 procedure for filling a vacancy
45	19-1207 keep a book of all maps and plats of cities, subdivisions or additions; need not record until the appropriate fee is paid (show receipt from county treasurer); shall not record a record unless it is accompanied by a statement showing taxes have been paid	
46	19-1209 County Board may order a numerical index to be kept	
47	19-1210 make correct entries in the numerical index of all instruments recorded concerning real estate	
48	19-1211 enter, in the appropriate divisions, information about the particular quarter section described in the instrument	
49	19-1213 must proofread each recorded entry	
50	19-1216 the act applies if all or any portion of the records are destroyed or made illegible	19-1215 penalty for violating the act
51	19-1217 shall reindex any record for which the index has been destroyed or made illegible	
52	19-1218 for a fee of \$2, examine the numerical index to any tract to determine whether the index is destroyed or illegible; provide a certificate stating the index was destroyed or illegible, including the event and its date at which the record was destroyed or became illegible	
53	19-1219 if a record has been reindexed because the original index was destroyed or made illegible, all parties whose interest in the property does not appear in the record may be made parties defendant under a general designation and any judgment is binding on those persons	

KIRO, February 2012

Senate Local Government

2-14-2012

Attachment 2

2012 SB 385, hearing 14 February 2012

Sec.	KSA				
1	new	The Board of County Commissioners may establish, by resolution, the duties of the county clerks, county treasurer, and the county register of deeds.			
		DUTIES for which the Board of County Commissioners could change the actor			
		Duties of the county clerk			
2	19-304	keep an office at the county seat; attend meetings of the Board of County Commissioners (Board); keep the seals, records and papers of the county commissioners; sign records of board meetings; be a notary public	19-301	election of the county clerk	
3	19-305	record Board proceedings, resolutions and decisions regarding money, votes; sign orders issued by the Board for payments; preserve and file all Board accounts; such special duties are required by law	19-302	appointment of a deputy county clerk; responsible for supervising staff; submitting an office budget	
4	19-306	keep the accounts; delivery a certified copy of any record (upon receiving fees for the information)	19-303	procedure for filling a clerk vacancy	
5	19-309	make out and transmit to the Secretary of State a certified statement on the boundaries of any township organized or whose boundaries are altered			
6	19-310	record Board proceedings regarding the laying out and establishing of roads in a county in a "road record"			
7	19-311	maintain all the account books of the county, with county, township, district and other officers			
8	19-312	keep tax levies in separate accounts; keep tax-related accounts (e.g., property sold for back taxes, liquor licenses)	19-313	clerk shall account for each fund separately	
9	19-315	determine the proper assessment belonging to any lot or tract when a special assessment has been levied on land outside an incorporated city that subsequently is subdivided			
10	19-318	draw orders on county accounts kept by the treasurer, to get moneys to the proper city, town, township, school district or other municipal organization; keep records on all transactions	19-320	a warrant remaining with the county clerk for 3 years shall be returned to the Board and cancelled	
11	19-322	officially record the name of a farm	19-321	the clerk has authority to administer oaths and affirmations	
12	19-323	submit to the Secretary of State the names and the signatures of newly elected county officials			
13	19-324	[requirement for the Secretary of State to send the forms required by 19-323]			
36	19-532	how the clerk accounts for deposits made by the treasurer			
38	19-534	each check not issued as part of a warrant check must show its purpose on the front and, in counties with population of less than 40,000, be countersigned by the county clerk			
39	19-535	how the clerk accounts for checks countersigned with the treasurer			
		Duties of the county treasurer			
		<i>(in general, changes "treasurer" to "financial officer" in these statutes)</i>			
14	19-502a	may purchase insurance to cover losses of money or other property for which the treasurer is responsible; the Board is to pay the premium	19-501	election of a county treasurer; county treasurer shall get a bond and file it with the county clerk	
15	19-506	receive any moneys belonging to the county; pay moneys upon direction of the Board; submit to any surprise cash count authorized by law	19-502	conditions of the bond	
16	19-506a	credit, apportion and pay moneys related to the national wildlife refuge system (75% to school districts; 25% to county road fund)	19-502b	surety bonds for deputies and employees	
17	19-507	keep "just and true" accounts, which may be inspected at any time by the Board; books are to be audited with the audit heard in October	19-503	deputy treasurer(s) may be appointed	
18	19-508	the October settlement (audit) also includes a settlement of the financial affairs of each city, township, school district, or other municipal organization	19-504	procedure for filling a treasurer vacancy	
19	19-508a	submit to each city a report listing amounts paid to each city during the year, within the first 45 days of the year	19-505	the treasurer may not also be sheriff, county attorney, county clerk, clerk of the district court, nor deputy to any of them, nor a member of the Board	
20	19-508b	send to a school district moneys withdrawn by the school board with an itemized statement showing the sources of funds			
21	19-509	pay the county's bills; track all payments; deliver a record of payments to the treasurer's successor			
22	19-510	endorse county checks presented in payment for taxes or other purposes			
23	19-510a	provide a receipt for any payment			
24	19-511	take duplicate receipts for all moneys or other evidence of indebtedness and file one with the county clerk	19-512	the treasurer shall in no case act as county clerk or clerk's deputy	