

HOUSE BILL No. 2368

By Committee on Appropriations

2-13

AN ACT concerning motor vehicle registration and title fees; relating to the disposition thereof; amending K.S.A. 2002 Supp. 8-145 and 28-115 and repealing the existing sections; also repealing K.S.A. 2002 Supp. 28-115a.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2002 Supp. 8-145 is hereby amended to read as follows: 8-145. (a) All registration and certificates of title fees shall be paid to the county treasurer of the county in which the applicant for registration resides ~~or~~, has an office or principal place of business within this state, ~~and~~. The county treasurer shall issue a receipt in triplicate, on blanks furnished by the division of vehicles, one copy of which shall be filed in the county treasurer's office, one copy shall be delivered to the applicant and the original copy shall be forwarded to the director of vehicles.

(b) The county treasurer shall deposit \$.75 of each license application, \$.75 out of each application for transfer of license plate and \$2 out of each application for a certificate of title, collected by such treasurer under this act, ~~in a special fund, which fund is hereby appropriated for the use of the county treasurer in paying for necessary help and expenses incidental to the administration of duties in accordance with the provisions of this law and extra compensation to the county treasurer for the services performed in administering the provisions of this act, which compensation shall be in addition to any other compensation provided by any other law, except that the county treasurer shall receive as additional compensation for administering the motor vehicle title and registration laws and fees, a sum computed as follows: The county treasurer, during the month of December, shall determine the amount to be retained for extra compensation not to exceed the following amounts each year for calendar year 1990 or any calendar year thereafter: The sum of \$60 per hundred registrations for the first 5,000 registrations; the sum of \$45 per hundred registrations for the next 5,000 registrations, and the sum of \$2 per hundred registrations for all registrations thereafter. In no event, however, shall any county treasurer be entitled to receive more than \$9,500 additional annual compensation.~~

~~— If more than one person shall hold the office of county treasurer during~~

1 ~~any one calendar year, such compensation shall be prorated among such~~
2 ~~persons in proportion to the number of weeks served. The total amount~~
3 ~~of compensation paid the treasurer together with the amounts expended~~
4 ~~in paying for other necessary help and expenses incidental to the admin-~~
5 ~~istration of the duties of the county treasurer in accordance with the~~
6 ~~provisions of this act, shall not exceed the amount deposited in such spe-~~
7 ~~cial fund. Any balance remaining in such fund at the close of any calendar~~
8 ~~year shall be withdrawn and credited to the general fund of the county~~
9 ~~prior to June 1 of the following calendar year in the county general fund.~~

10 (c) The county treasurer shall remit the remainder of all such fees
11 collected, together with the original copy of all applications, to the sec-
12 retary of revenue. The secretary of revenue shall remit all such fees re-
13 mitted to the state treasurer in accordance with the provisions of K.S.A.
14 75-4215, and amendments thereto. Upon receipt of each such remittance,
15 the state treasurer shall deposit the entire amount in the state treasury
16 to the credit of the state highway fund, except as provided in subsection
17 (d).

18 (d) (1) On July 1, 2002, through June 30, 2004, \$3.50 of each certifi-
19 cate of title fee collected and remitted to the secretary of revenue, shall
20 be remitted to the state treasurer who shall credit such \$3.50 to the
21 Kansas highway patrol motor vehicle fund. On July 1, 1999, through June
22 30, 2004, \$1 of each certificate of title fee collected and remitted to the
23 secretary of revenue, shall be remitted to the state treasurer who shall
24 credit such \$1 to the VIPS/CAMA technology hardware fund.

25 (2) For repossessed vehicles, \$3 of each certificate of title fee col-
26 lected and remitted to the secretary of revenue, shall be remitted to the
27 state treasurer who shall credit such \$3 to the repossessed certificates of
28 title fee fund.

29 (3) On July 1, 2002, through June 30, 2004, \$3.50 of each reassign-
30 ment form fee collected and remitted to the secretary of revenue, shall
31 be remitted to the state treasurer who shall credit such \$3.50 to the
32 Kansas highway patrol motor vehicle fund. One dollar of each reassign-
33 ment form fee collected and remitted to the secretary of revenue, shall
34 be remitted to the state treasurer who shall credit such \$1 to the VIPS/
35 CAMA technology hardware fund.

36 New Sec. 2. (a) In addition to any other compensation provided by
37 law, the county treasurer shall be entitled to receive additional compen-
38 sation for the services performed in administering the motor vehicle title
39 and registration laws and fees. The amount of such additional compen-
40 sation shall be computed as provided by subsection (b).

41 (b) During the month of December, the county treasurer shall de-
42 termine the amount to be received for extra compensation not to exceed
43 the following amounts each calendar year: The sum of \$60 per 100 reg-

1 istrations for the first 5,000 registrations; the sum of \$45 per 100 regis-
2 trations for the next 5,000 registrations; and the sum of \$2 per 100 reg-
3 istrations for all registrations thereafter. The county treasurer shall be
4 entitled to receive not more than \$9,800 additional annual compensation.

5 If more than one person holds the office of county treasurer during
6 any one calendar year, such compensation shall be prorated among such
7 persons in proportion to the number of weeks served.

8 (c) The county treasurer shall certify to the board of county commis-
9 sioners the amount of additional compensation which the treasurer is
10 entitled to receive. After receipt of the certified amount, the board shall
11 pay the treasurer such additional compensation.

12 Sec. 3. K.S.A. 2002 Supp. 28-115 is hereby amended to read as fol-
13 lows: 28-115. (a) The register of deeds of each county shall charge and
14 collect the following fees:

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| 15 For recording deeds, mortgages or other instruments of writing, for first | |
| 16 page, not to exceed legal size page—8 1/2" x 14"..... | \$6.00 |
| 17 For second page and each additional page or fraction thereof..... | 2.00 |
| 18 Recording town plats, for each page..... | 20.00 |
| 19 Recording release or assignment of real estate mortgage..... | 5.00 |
| 20 Certificate, certifying any instrument on record..... | 1.00 |
| 21 Acknowledgment of a signature..... | .50 |
| 22 For filing notices of tax liens under the internal revenue laws of the United | |
| 23 States..... | 5.00 |
| 24 For filing releases of tax liens, certificates of discharge, under the internal | |
| 25 revenue laws of the United States or the revenue laws of the state of | |
| 26 Kansas..... | 5.00 |
| 27 For filing liens for materials and services under K.S.A. 58-201, and | |
| 28 amendments thereto..... | 5.00 |

29 (b) In addition to the fees required to be charged and collected pur-
30 suant to subsection (a), the register of deeds shall charge and collect an
31 additional fee of \$2 per page for recording:

32 (1) The first page of any deeds, mortgages or other instruments of
33 writing, not to exceed legal size—8 1/2" x 14";

34 (2) the second page and each additional page or fraction of any deeds,
35 mortgages or instruments of writing; and

36 (3) a release or assignment of real estate mortgage.

37 Any fees collected pursuant to this subsection shall be paid by the
38 register of deeds to the county treasurer. The county treasurer shall de-
39 posit such funds in the ~~register of deeds technology fund as provided by~~
40 ~~K.S.A. 2002 Supp. 28-115a~~ *technology fund of the county created by sec-*
41 *tion 4*, and amendments thereto.

42 (c) For any filing or service provided for in the uniform commercial
43 code, the amount therein provided, shall be charged and collected. No

1 fee shall be charged or collected for any filing made by the department
2 of revenue as required under the provisions of the Kansas inheritance tax
3 act, and amendments thereto.

4 (d) If the name or names of the signer or signers or any notary public
5 to any instrument to be recorded are not plainly typed or printed under
6 the signatures affixed to the instrument, the register of deeds shall charge
7 and collect a fee of \$1 in addition to all other fees provided in this section.

8 (e) If sufficient space is not provided for the necessary recording in-
9 formation and certification on a document, such recording information
10 shall be placed on an added sheet and such sheet shall be counted as a
11 page. The document shall be of sufficient legibility so as to produce a
12 clear and legible reproduction thereof. If a document is judged not to be
13 of sufficient legibility so as to produce a clear and legible reproduction,
14 such document shall be accompanied by an exact copy thereof which shall
15 be of sufficient legibility so as to produce a clear and legible reproduction
16 thereof and which shall be recorded contemporaneously with the docu-
17 ment and shall be counted as additional pages. The register of deeds may
18 reject any document which is not of sufficient legibility so as to produce
19 a clear and legible reproduction thereof.

20 (f) Any document which was filed on or after January 1, 1989, which
21 was of a size print or type smaller than 8-point type but which otherwise
22 was properly filed shall be deemed to be validly filed.

23 (g) All fees required to be collected pursuant to this section, except
24 those charged for the filing of liens and releases of tax liens under the
25 internal revenue laws of the United States, shall be due and payable be-
26 fore the register of deeds shall be required to do the work. If the register
27 of deeds fails to collect any of the fees provided in this section, the amount
28 of the fees at the end of each quarter shall be deducted from the register's
29 salary.

30 (h) Except as otherwise provided by subsection (b), all fees required
31 to be collected pursuant to this section shall be paid by the register of
32 deeds to the county treasurer and deposited into the general fund of the
33 county.

34 New Sec. 4. (a) There is hereby created in each county a technology
35 fund.

36 (b) Upon receipt thereof, the county treasurer shall credit to the tech-
37 nology fund of the county all moneys attributable to the fees collected
38 pursuant to subsection (b) of K.S.A. 28-115, and amendments thereto.

39 (c) Moneys in the technology fund shall be used to acquire equip-
40 ment and technological services for the storing, recording, archiving, re-
41 trieval, maintaining and handling of data recorded or stored by the
42 county offices.

43 (d) Moneys in such fund shall not be subject to the provisions of

1 K.S.A. 79-2925 through 79-2937, and amendments thereto. In making
2 the budget of the county, the amounts credited to, and the amount on
3 hand in, such special fund and the amount expended from such fund shall
4 be shown on the budget for the information of the taxpayers of the county.

5 (e) Moneys in such fund may be invested in accordance with the
6 provisions of K.S.A. 10-131, and amendments thereto, with interest
7 thereon credited to such fund.

8 Sec. 5. K.S.A. 2002 Supp. 8-145, 28-115 and 28-115a are hereby re-
9 pealed.

10 Sec. 6. This act shall take effect and be in force from and after its
11 publication in the statute book.

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