

Vermont Legislative Joint Fiscal Office

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FISCAL NOTE

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H.899 An act relating to fees for records filed in town offices and a town fee report and request – As Introduced

<https://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0899/H-0899%20As%20Introduced.pdf>

Bill Summary

This bill would adjust or establish certain fees (see fee breakdown on second page) related to document recording or filing services provided by town clerks in the state. Of the increased fee amounts, a portion of select fees would be dedicated to a restoration reserve fund, which under current law municipalities may create, but under this bill would be required. Additionally, the bill would require that a consolidated town fee report be submitted to the General Assembly every three years starting in 2019 jointly by the VT Municipal Clerks and Treasurers Association and the VT League of Cities and Towns.

Fiscal Summary

Any new revenues from these fee changes would go solely to municipalities throughout the state that provide document recording and filing services. None of the revenues would go to the State general fund or any other state fund. In some cases, municipal clerks are funded primarily or solely through recording and filing fees, among other fees, but in other cases the recording and filing fees go back into a municipal operating fund. Many, but not all, municipalities have active restoration reserve funds. The amount of new revenues collected by municipalities would vary considerably based on the size of the municipality and the number of documents and pages that are recorded each year.

No state fiscal impact.

H.899 Fee Changes							
Row #	Statutory Reference	Fee Description	Year last changed	Current Fee	Proposed Fee	% Increase	Fund of Deposit
1	32 VSA §1671(a)(1)	Recording of a trust mortgage deed	2009 "per page" added	\$10.00 per page	\$40.00 first page; \$5.00 each additional page	see note 3 below	Municipal (\$10.00 of fee shall go to town's restoration reserve fund)
2	32 VSA §1671(a)(2)	Filing or recording a copy of a complaint to foreclose a mortgage	2009	\$10.00 per page	\$40.00 first page; \$5.00 each additional page	see note 3 below	Municipal (\$10.00 of fee shall go to town's restoration reserve fund)
3	32 VSA §1671(a)(6)(A)	Recording or filing, or both, of any document that is to become a matter of public record in a town clerk's office or any certified copy	2009	\$10.00 per page	\$40.00 first page; \$5.00 each additional page	see note 3 below	Municipal (\$10.00 of fee shall go to town's restoration reserve fund)
4	32 VSA §1671(a)(6)(B)	Recording or filing, or both, of a property transfer return	2009	\$10.00	\$40.00	300%	Municipal (\$10.00 of fee shall go to town's restoration reserve fund)
5	32 VSA §1671(a)(6)(C)	Recording or filing, or both, of documents issued by a municipal officer, employee or entity	new		\$20.00		Municipal
6	32 VSA §1671(a)(8)	Survey Plats	2009	\$15.00	\$30.00	100%	Municipal (\$10.00 of fee shall go to town's restoration reserve fund)

Notes:

- 1) Based on a survey sent out by the VMCTA to municipalities, with 44 responses, responses indicate that of total recordings the first page makes up approximately 30% of all pages recorded and the average recording is 3.55 pages. For most survey responses, the numbers were collected and reported for a period of 1-2 months.
- 2) For recordings of six or fewer pages the fees represent an increase in total recording costs. For recordings of seven pages, the new cost would be the same as the current cost. For recordings of more than seven pages, the cost under the new fee structure would be lower than under the current fee structure.
- 3) For recordings subject to the first three fees above, and based on the average number of pages in a recording shown in note 1, the average fee increase is 48% per recording. Inflation between 2009 and 2018 was approximately 17%.