

Effective 5/3/2023

Renumbered 11/6/2025

17-21-18.5 Fees of county recorder -- Electronic recording of instruments.

- (1) The county recorder shall receive the following fees:
 - (a) for recording any instrument, not otherwise provided for, other than bonds of public officers, \$40;
 - (b) for recording any instrument, including those provided for under Title 70A, Uniform Commercial Code, other than bonds of public officers, and not otherwise provided for, \$40, and if an instrument contains more than 10 descriptions, \$2 for each additional description;
 - (c) for recording mining location notices and affidavits of labor affecting mining claims, \$40;
 - (d) for an affidavit or proof of labor which contains more than 10 mining claims, \$2 for each additional mining claim; and
 - (e) for redacting personal information pursuant to Section 17-21-12.5, \$5.
- (2)
 - (a) Each county recorder shall record the mining rules of the several mining districts in each county without fee.
 - (b) Certified copies of these records shall be received in all tribunals and before all officers of this state as prima facie evidence of the rules.
- (3) The county recorder shall receive the following fees:
 - (a) for copies of any record or document, a reasonable fee as determined by the county legislative body;
 - (b) for each certificate under seal, \$5;
 - (c) for recording any plat, \$50 for each sheet and \$2 for each lot or unit designation;
 - (d) for taking and certifying acknowledgments, including seal, \$5 for one name and \$2 for each additional name;
 - (e) for recording any license issued by the Division of Professional Licensing, \$40; and
 - (f) for recording a federal tax lien, \$40, and for the discharge of the lien, \$40.
- (4) A county recorder may not charge more than one recording fee for each instrument, regardless of whether the instrument bears multiple descriptive titles or includes one or more attachments as part of the instrument.
- (5)
 - (a) Beginning on or before January 1, 2022, each county shall accept and provide for the electronic recording of instruments.
 - (b) Beginning on or before January 1, 2023, each county shall:
 - (i) provide for the electronic recording of a plat; and
 - (ii) accept an electronic document for the recording of a plat.
- (6) The county may determine and collect a fee for all services not enumerated in this section.
- (7) A county recorder may not be required to collect a fee for services that are unrelated to the county recorder's office.