

Effective 5/6/2026

17-71-407 Fees -- Fees paid in advance.

- (1) The county recorder may not record any instrument, furnish any copies, or provide any service connected with the office of the county recorder until the relevant fees described in this section or established by county ordinance or resolution have been:
 - (a) paid; or
 - (b) authorized to be paid electronically.
- (2) A county legislative body may set by ordinance or resolution reasonable fees for the services of the county recorder not described in Subsections (3) and (4), including for:
 - (a) copies of any record or document; and
 - (b) a subscription service described in Subsection (7).
- (3)
 - (a) Subject to Subsection (3)(b), a county recorder shall charge and receive the following fees:
 - (i) for recording any instrument, not otherwise provided for, other than bonds of public officers, \$40;
 - (ii)
 - (A) 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
 - (B) if an instrument contains more than 10 descriptions, \$2 for each additional description;
 - (iii) for recording mining location notices and affidavits of labor affecting mining claims, \$40;
 - (iv) for an affidavit or proof of labor that contains more than 10 mining claims, \$2 for each additional mining claim;
 - (v) for redacting personal information in accordance with Section 17-71-406, \$5;
 - (vi) for recording any plat, \$50 for each sheet and \$2 for each lot or unit designation;
 - (vii) for recording any license issued by the Division of Professional Licensing, \$40;
 - (viii) for recording a federal tax lien, \$40; and
 - (ix) for recording the discharge of a federal tax lien, \$40.
 - (b) A county of the second, third, fourth, fifth, or sixth class, as classified under Section 17-60-104, shall charge and receive an additional \$5 for each service described in Subsection (3)(a), other than for the additional \$2 for each additional description or mining claim as described in Subsections (3)(a)(ii)(B) and (iv), unless the county has a balance in the restricted account into which recording fees are deposited.
- (4)
 - (a) Each county recorder shall record the mining rules of the several mining districts in each county without a 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.
- (5) If a county legislative body does not set a different fee by ordinance or resolution for a service, as described in Subsection (2), the county recorder shall charge and receive the following fees:
 - (a) for each certificate under seal, \$5; and
 - (b) for taking and certifying acknowledgments, including seal, \$5 for one name and \$2 for each additional name.
- (6) 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.
- (7) A county recorder may provide records or information within records to a requesting entity on a subscription basis.

(8) A county recorder may not be required to collect a fee for services that are unrelated to the county recorder's office.

Amended by Chapter 105, 2026 General Session