



2020 Real Estate Recording Legislation

Includes URPERA

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State	Bill	Introduced	Description	Status
Alabama	H21	2/4/20	Expands the Alabama Residential Mortgage Satisfaction Act to require recordation of satisfaction for mortgages securing commercial agricultural properties in addition to residential mortgages. It would also rename the act to the "Alabama Residential and Agricultural Mortgage Satisfaction Act."	Passed House Financial Services Committee 2/20/20.
Alabama	H62	2/4/20	Expands the Alabama Residential Mortgage Satisfaction Act to require recordation of satisfaction for mortgages securing commercial agricultural properties in addition to residential mortgages. It would also rename the act to the "Alabama Residential and Agricultural Mortgage Satisfaction Act."	Assigned to House Financial Services Committee.
Alabama	S103	2/4/20	Increases the fee for recordation of mortgages and like instruments from .15 to .20 per \$100 of indebtedness.	Assigned to Senate Finance and Taxation General Fund Committee.
Alaska	H124	4/5/19	Adopts Uniform Real Property Electronic Recording Act and also permits remote online notarization.	Passed House 3/17/20. Assigned to Senate Judiciary Committee.
Colorado	H1318	2/21/20	Sets requirements for the electronic recording of plats.	Passed House Transportation and Local Government Committee 3/10/20.

Connecticut	H5428	3/3/20	Requires person authorized to release mortgage to provide certified copy of such release to mortgagor; requires mortgagee to accept payment from a lawyer's IOLTA account; and requires the acceptance of certain payments on mortgage loans issued by Connecticut banks and Connecticut credit unions.	Assigned to Joint Banking Committee.
Florida	H469	1/14/20	Provides that subscribing witnesses are not required for any instrument pertaining to a leasehold in real property.	Passed House 2/5/20. Passed Senate 3/5/20.
Florida	H567	1/14/20	Provides for correction of errors in deeds, includes form of curative notice, and requires clerks of court to accept and record such notices.	Tabled 2/12/20.
Florida	S886	1/14/20	Provides for correction of errors in deeds, includes form of curative notice, and requires clerks of court to accept and record such notices.	Passed Senate on 2/4/20. Passed House 2/13/20. Senate concurred in House amendments on 3/12/20
Georgia	H396	2/20/19	Provides that it shall be unlawful for a person to deed or otherwise transfer title to real property to another person without the knowledge or consent of such other person with the intent to hinder, delay, impair, or defraud a creditor's rights.	Passed House 3/1/19. Assigned to Senate Judiciary Committee. Carry over to 2020.
Georgia	H729	4/2/19	Provides requirements for land installment contracts and requires recording of such contracts within 20 days of execution.	Pending. Carry over to 2020.
Hawaii	H319	1/18/19	Modifies conveyance tax for sale of residential property sold within 5 years of purchase where the purchaser is a foreign entity.	Assigned to the House Finance Committee. Carry over to 2020.
Hawaii	H448	1/22/19	Modifies procedures to deregister land from the land court system.	Passed Water Land and Hawaiian Affairs Committee on 1/25/19, Passed House Judiciary Committee on 2/14/19. Assigned to House Finance Committee. Carry over to 2020.
Hawaii	H682	1/22/19	Increases rate of real estate conveyance tax applicable to properties valued at over \$2 million.	Assigned to the House Finance Committee. Carry over to 2020.
Hawaii	H1877	1/17/20	Clarifies the data requirements for land recordation by the bureau of conveyances on land deregistered by the land court.	Passed House 2/28/20. Pending in multiple Senate committees.

Hawaii	S13	1/17/19	Increases rate of real estate conveyance tax applicable to properties valued at over \$2 million.	Assigned to Senate Housing Committee. Carry over to 2020.
Hawaii	S898	1/22/19	Modifies procedures to deregister land from the land court system.	Passed Senate 2/22/19. Passed House 4/9/19 as amended. Senate refused to concur on 4/11/19. Pending in conference committee. Carry over to 2020.
Hawaii	S1120	1/23/19	Increases rate of real estate conveyance tax applicable to properties valued at over \$2 million.	Passed Senate Housing Committee with amendment on 2/7/19. Carry over to 2020.
Idaho	H348	1/22/20	Dissolves the Electronic Recording Commission and assigns those duties to the secretary of state.	ENACTED 3/4/20. Takes effect 7/1/20.
Illinois	H306	1/10/19	Authorizes a county board to assume control over real estate recording fees by ordinance. The board may reduce any fee charged by the county recorder.	Assigned to House Counties and Townships Committee.
Illinois	H5562	2/14/20	Provides that counties with populations over 1,000,000 that have adopted a predictable fee schedule for recording shall charge a standard fee for certified copies.	Pending.
Illinois	S1657	2/15/19	Changes time period for releasing mortgage to 30 days from 1 month following payment in full. Expands the list of those persons who can request a satisfaction on behalf of the mortgagor.	Passed Senate 3/13/19. Passed House Financial Institutions Committee 4/30/19. Tabled in House 2/18/20.
Illinois	S2092	2/15/19	Increases the Rental Housing Support Program State surcharge that the county recorder must collect for the recordation of any real estate-related document from \$9 to \$18.	Assigned to Senate Local Government Committee.

Illinois	S3417	2/14/20	Provides that if the Conveyances Act requires information to be in writing or delivered in writing, or provides for consequences if it is not, an electronic record or electronic delivery satisfies that requirement. It also provides that if the Conveyances Act requires a deed, instrument, record, or other document or information to be executed, signed, or subscribed to in writing, an electronic signature or digital signature satisfies that requirement.	Assigned to Senate Judiciary Committee.
Iowa	S2137	1/31/20	Provides that the owner or assignee of an instrument may show a modification of the maturity date, an extension of the maturity date, or an extension of any associated indebtedness by filing a duly acknowledged extension agreement in the office of the recorder where the instrument was recorded. Formerly SSB 3004.	Passed Senate Commerce Committee 1/31/20..
Kansas	H2600	2/10/20	Requires an affidavit of interest for all contracts for deed must be filed with the county register of deeds where the property is located by the seller within 10 days of the execution of such contract. Any contract for deed for which an affidavit of interest has not been filed shall be deemed void and unenforceable.	Pending.
Kentucky	H337	1/28/20	Adds document types to list for which recording fees are specified.	Pending.
Kentucky	H431	2/13/20	Provides for a purchase-money mortgage or deed of trust and establishes priorities.	Assigned to House Judiciary Committee.
Louisiana	H122	3/9/20	Provides for recording of tangible copies of electronic documents.	Tracked on Notary Chart.
Louisiana	S348	3/9/20	Increases fees charged by parish clerks of court as ex officio recorders of mortgages	Pending assignment to Senate Judiciary Committee.
Maryland	H529	1/27/20	Increases surcharge on certain recordable instruments with the increased fees going to the circuit court real property records improvement fund.	Passed House Judiciary Committee 3/2/20. Passed Senate as amended and returned to the House for concurrence.
Maryland	H1077	2/6/20	Provides certain exceptions to the surcharges on recording of documents.	Passed House 3/11/20. Passed Senate 3/18/20.

Maryland	H1084	2/6/20	Provides that an assignment of leases and rents for security purposes may be recorded without a certification that the instrument was prepared by an attorney or under an attorney's supervision. Same as SB 154.	Passed House 3/11/20. Passed Senate 3/15/20.
Maryland	S154	1/10/20	Provides that an assignment of leases and rents for security purposes may be recorded without a certification that the instrument was prepared by an attorney or under an attorney's supervision.	Passed Senate 2/5/20. Passed House 3/17/20.
Maryland	S256	1/20/20	Increases surcharge on certain recordable instruments with the increased fees going to the circuit court real property records improvement fund.	Passed Senate 3/13/20. Assigned to House Judiciary Committee.
Maryland	S570	1/31/20	Provides for recording of certain notices related to a recorded easement, convenient, or condition.	Passed Senate 3/12/20. Assigned to House Environment and Transportation Committee.
Maryland	S1013	2/12/20	Establishes a \$75 surcharge for the recording of instruments in the real estate records. The surcharge will be applied to the Partnership Rental Housing Fund.	Pending.
Massachusetts	H1524	2/26/19	Provides format and time limits for recording assignments of mortgage; requires note owner to return wet ink mortgage note marked "paid in full" to mortgagor within 20 days of payment in full.	Assigned to Judiciary Committee.
Massachusetts	H1769	2/26/19	Authorizes a city or town to impose a real estate transfer fee of up to 2%.	Assigned to Joint Committee on Municipalities and Regional Government.
Massachusetts	H2423	2/26/19	Authorizes the City of Somerville to impose a real estate transfer fee.	Assigned to Joint Revenue Committee.
Massachusetts	H2425	2/26/19	Imposes a fee on the purchaser equal to 15% of the purchase price upon the transfer of any real property interest to an alien purchaser in any real property situated in a city or town that accepts the provisions of the act.	Assigned to Joint Judiciary Committee.
Massachusetts	H2457	2/26/19	Authorizes a city or town to impose a fee up to 2% of the purchase price upon the transfer of any real property interest in any real property valued over \$1 million.	Assigned to Joint Judiciary Committee.

Massachusetts	H3307	2/26/19	Requires banks, lending institutions, mortgage companies or sub lenders to file with the registry of deeds in each county within thirty days of mortgage sales and/or foreclosures of property.	Assigned to Joint Judiciary Committee.
Massachusetts	H3382	2/26/19	Provides that a beneficiary deed is valid only if it is recorded before the death of the owner or the last surviving owner as provided by law in the office of the county recorder of the county in which the real property is located.	Assigned to Joint Judiciary Committee.
Massachusetts	S960	2/28/19	Requires that an assignment of mortgage secured by residential property shall be recorded within 30 days of the date of the execution.	Assigned to Joint Judiciary Committee.
Minnesota	H4308	3/9/20	Repeals the mortgage registry tax and additional mortgage and deed taxes imposed by certain counties.	Assigned to House Property and Local Tax Division Committee.
Mississippi	S2423	2/14/20	Creates requirements for the recordation of subdivision plat maps.	FAILED. Died in committee 3/3/20
Missouri	H1278 (2020)	1/8/20	Prohibits Recorder from accepting any deed or instrument that grants, assigns, transfers, or otherwise conveys or vests any interest in real property unless it indicates a completed certificate of real estate value has been delivered to the assessor.	Pending.
Missouri	H1690 (2020)	1/8/20	Provides for remote online notarization and the recording of electronic documents.	Tracked on Notary Chart.
Nebraska	L393	1/17/19	Increases documentary stamp tax for recording deeds from \$2.25 to \$3.25 for each \$1k of value or portion thereof.	Assigned to Revenue Committee. Carry over to 2020.
Nebraska	L633	1/23/19	Requires the register of deeds to keep property owner residential address provided on recorded documents confidential except upon written request.	Pending. Carry over to 2020.
New Hampshire	H601	1/3/19	Creates an "assurance deed" and establish procedures for transferring marketable title through the use of such instrument.	FAILED. House Commerce and Consumer Affairs Committee voted that the bill Ought Not Pass on 11/13/19.

New Hampshire	S493	1/8/20	Increases recording fee surcharge from \$25 to \$35 to support the Land and Community Heritage Investment Program.	Passed Senate Finance Committee 3/11/20.
New Hampshire	S617	1/8/20	Provides for voluntary recording fee surcharge of \$10, increasing the recording fee from \$25 to \$35 to support the Land and Community Heritage Investment Program.	Assigned to Senate Ways and Means Committee.
New Jersey	A2478	2/3/20	Eliminates general purpose, supplemental and mansion realty transfer fees.	Assigned to Assembly Housing Committee.
New Jersey	A3396	2/24/20	Encourages timely recording of deeds by imposing a late fee of \$10 per calendar day that the deed is not recorded beginning on the 31 st day after a deed is delivered.	Assigned to the Assembly Housing Committee.
New Jersey	A3666	3/16/20	Establishes an additional \$75 fee to be charged for recording of instruments to support Affordable Housing Trust Fund.	Assigned to Assembly Housing Committee.
New Jersey	A3784	3/16/20	Requires person recording a deed transfer of real property to submit an affidavit of title; requires county recorder to send notice to the transferor of the recording and authorizes an additional \$2 fee to cover the cost of such notice.	Assigned to Assembly Housing Committee.
New Jersey	S1319	2/10/20	Encourages timely recording of deeds. Text not available.	Pending.
New York	A5375	2/11/19	Imposes a flip tax of 15% on the resale of properties consisting of 1 to 5 residential units within 1 year of a prior conveyance and 10% if within 2 years.	Assigned to Assembly Ways and Means Committee.
New York	A5613	2/14/19	Provides that a recording officer shall not record or accept for recording any mortgage or assignment of mortgage made by a non-natural person affecting land in this state unless accompanied by a mortgage ownership assignment document. The assignment document form is set forth in the bill and it must be recorded no later than ninety days after the date of the acknowledgment or proof of such instrument.	Assigned to Assembly Judiciary Committee.
New York	A7190	4/11/19	Requires transfer tax return related to residential property where the grantor or grantee is an LLC to provide beneficial ownership information.	Passed Assembly Ways and Means Committee 5/30/19. Substituted by S1730.

New York	A9041	1/10/20	Requires that whenever a mortgage instrument is recorded in the office of the recording officer of any county, any mezzanine debt related to the real property upon which the mortgage instrument is filed shall also be recorded with such mortgage instrument. The bill would also make the amount of the mezzanine debt subject to the mortgage tax.	Assigned to the Assembly Judiciary Committee.
New York	S2480	1/25/19	Prohibits recording or use in a foreclosure proceeding of robo-signed documents. Provides definition of "robo-signed." Each infraction carries a civil penalty of \$10,000 per document.	Assigned to Housing, Construction and Community Development Committee.
New York	S5358	4/29/19	Establishes the New York Title Guarantee Authority, which will create a program to guarantee the title to real property in the state.	Assigned to the Senate Corporations, Authorities and Commissions Committee.
New York	S7231	1/13/20	Requires that whenever a mortgage instrument is recorded in the office of the recording officer of any county, any mezzanine debt related to the real property upon which the mortgage instrument is filed shall also be recorded with such mortgage instrument. The bill would also make the amount of the mezzanine debt subject to the mortgage tax.	Pending.
North Carolina	H937	4/16/19	Adopts the Notice of Settlement Act. This bill would provide an optional procedure to record a Notice of Settlement up to 60 days prior to the settlement date, which will establish priority as of the date of recording. The purpose is to modernize the law governing the transfer of a legal or equitable interest in real property by providing advance notice of transactions and facilitating electronic closing of transactions, electronic recording of documents, and disbursement of funds in connection with the settlement of real property transactions.	Assigned to House Judiciary Committee.
North Carolina	S595	4/4/19	Adopts the Notice of Settlement Act. The purpose of this section of the bill is to modernize the law governing the transfer of a legal or equitable title to real property, or interests therein, by providing advance notice of transactions and facilitating electronic closing of transactions, electronic recording of documents, and disbursement of funds in connection with the settlement of real property transactions. The bill would create an additional, nonexclusive procedure for registering a property interest in real property through the use of a notice of settlement, which would establish the priority of a grantee of a conveyance, lease, or mortgagee and for any other priority purposes based on registration in the public records from the time of filing of the notice of settlement.	Passed the Senate on 5/7/19.

Oklahoma	S667	2/4/19	Changes margin requirements for instruments recorded with the county clerk.	Passed Senate on 3/5/19. Passed House County and Municipal Government Committee 3/28/19. Carry over to 2020.
South Carolina	H3380	1/8/19	Requires that in order to be recorded a deed or mortgage executed after June 1, 2019, must identify the preparer of the instrument and provide his contact information or an attorney licensed to practice in South Carolina assisting with the closing of the instrument.	Assigned to House Judiciary Committee. Carry over to 2020.
Tennessee	S2376	2/5/20	Provides that an electronic document must be certified by either a licensed attorney or custodian of the original record prior to recording. The certification must be transmitted to the county register and recorded as part of the document. The bill also contains the form of certification.	Assigned to Senate State and Local Government Committee.
Virginia	H306	1/8/20	Increases recording fees charged by clerk of circuit court by \$2 per instrument.	ENACTED 3/2/20. Takes effect on 7/1/20.
Virginia	H729	1/8/20	Increases the regional transportation fee surcharge for recording certain real estate documents with the clerk of court from .15 to .20 per \$100 value of the interest.	Passed House 2/11/20.
Virginia	H788	1/8/20	Provides that a deed shall not be recorded on or after 7/1/20 if it contains a restrictive covenant and that a clerk may refuse to record any such deed. Provides for a deed of reformation to remove a prohibited restrictive covenant.	Passed House 2/5/2020. Passed Senate 2/24/20.
Virginia	H1623	1/16/20	Increases recording fees charged by clerk of circuit court by \$2 per instrument for open space preservation.	Passed House 2/4/20. Passed Senate 2/24/20.
Virginia	S938	1/13/20	Increases recording fees charged by clerk of circuit court by \$2 per instrument.	Passed Senate 2/11/20. Passed House 2/26/20.

West Virginia	H2086	1/8/20	Adopts the Uniform Real Property Electronic Recording Act.	Passed House 1/22/20. Passed Senate as amended on 2/10/20. House concurred in Senate amendments on 2/18/20. Vetoed by the governor on 2/24/20. Reconsidered and passed by the House with amendments to address governor's objection on 2/27/20. Senate concurred on 2/28/20
West Virginia	H2187	1/8/20	Requires that lien releases filed with county clerk's office include the Deed of Trust Book and page numbers where the lien is filed.	Assigned to House Judiciary Committee.
West Virginia	H4576	1/28/20	Establishes procedure for the correction of errors in deeds, deeds of trust and mortgages.	Passed House 2/12/20. Passed Senate as amended on 3/3/20. House concurred in Senate Amendments on 3/5/20.
Wisconsin	A598	11/14/19	Establishes requirements for recording certain instruments related to condominiums.	Assigned to the Assembly Housing and Real Estate Committee.
Wisconsin	S550	11/8/19	Establishes requirements for recording certain instruments related to condominiums.	Passed Senate Utilities and Housing Committee 2/10/20.
Wyoming	S39	2/10/20	Modifies certain content requirements for documents to be recorded.	ENACTED 3/12/20. Takes effect 7/1/20.