

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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**SENATE BILL 386
PROPOSED COMMITTEE SUBSTITUTE S386-PCS35258-TJ-13**

Short Title: Registers of Deeds/UCC Recording Fees.

(Public)

Sponsors:

Referred to:

March 25, 2015

A BILL TO BE ENTITLED
AN ACT TO SPECIFY FEES FOR RECORDING INSTRUMENTS GOVERNED BY THE
UNIFORM COMMERCIAL CODE WITH REGISTERS OF DEEDS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 161-10 reads as rewritten:

"§ 161-10. **Uniform fees of registers of deeds.**

(a) Except as otherwise provided in this Article, all fees collected under this section shall be deposited into the county general fund. While performing the duties of the office, the register of deeds shall collect the following fees which shall be uniform throughout the State:

(13) ~~Uniform Commercial Code. – Such fees as are provided for in Chapter 25, Article 9, Part 5, of the General Statutes.~~ The following fees apply for services related to financing statements or other records under Part 5 of Article 9 of Chapter 25 of the General Statutes:

- a. For filing and indexing financing statements or records with two or fewer pages, thirty-eight dollars (\$38.00).
- b. For filing and indexing financing statements or records with more than two pages, forty-five dollars (\$45.00) for the first 10 pages, plus two dollars (\$2.00) for each additional page.
- c. For responding to an information request, including a communication with respect to requests for financing statement information for a particular debtor, thirty-eight dollars (\$38.00).

This subdivision shall not apply to either the recording or the satisfaction of a deed of trust or mortgage, when such deed of trust or mortgage acted as a fixture filing or financing statement covering as-extracted collateral or timber to be cut as authorized under G.S. 25-9-502(c).

SECTION 2. G.S. 25-9-525 reads as rewritten:

"§ 25-9-525. **Fees.**

(a) ~~Initial Filing of initial financing statement or other record:~~ record with the office of the Secretary of State: general rule. – Except as otherwise provided in subsection (e) of this section, the Secretary of State shall collect the following fees: fee for filing and indexing a record under this ~~Part is:~~ Part:

- (1) Thirty-eight dollars (\$38.00) if the record is communicated in writing and consists of one or two pages;



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1 (2) Forty-five dollars (\$45.00) if the record is communicated in writing and
2 consists of more than two pages, plus two dollars (\$2.00) for each page over
3 10 pages; and

4 (3) Thirty dollars (\$30.00) if the record is communicated by another medium
5 authorized by filing-office rule.

6 (b) Filing with the register of deeds. – The fees to be collected by the register of deeds
7 for filing and indexing a record under this Part are provided under G.S. 161-10(a)(13).

8 (c) Number of names. – The number of names required to be indexed does not affect
9 the amount of the fee in subsection (a) of this section.

10 (d) Response to information request. – The fee for responding to a request for
11 information from the ~~filing office~~, office of the Secretary of State, including for communicating
12 whether there is on file any financing statement naming a particular debtor, is:

13 (1) Thirty-eight dollars (\$38.00) if the request is communicated in writing; and

14 (2) Thirty dollars (\$30.00) if the request is communicated by another medium
15 authorized by filing-office rule.

16 Upon request the ~~filing office~~ of the Secretary of State shall furnish a copy of any filed
17 financing statement or statement of assignment for a uniform fee of two dollars (\$2.00) per
18 page. This subsection does not require that a fee be charged for remote access searching of the
19 filing office database.

20 (e) Record of mortgage. – This section does not require a fee with respect to a record of
21 a mortgage which is effective as a financing statement filed as a fixture filing or as a financing
22 statement covering as-extracted collateral or timber to be cut under G.S. 25-9-502(c). However,
23 the recording and satisfaction fees that otherwise would be applicable to the record of the
24 mortgage apply."

25 **SECTION 3.** This act becomes effective October 1, 2015, and applies to
26 instruments registered on or after that date.