



SENATE BILL 445: Recording of Court-Filed Documents.

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2023-2024 General Assembly

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|-----------------------|--|---------------------|-------------------------------------|
| Committee: | House Rules, Calendar, and Operations of the House | Date: | June 26, 2024 |
| Introduced by: | Sen. Daniel | Prepared by: | Michael Johnston* Staff Attorney |
| Analysis of: | First Edition | | |

OVERVIEW: *Senate Bill 445 would exempt any certified copy of a court-filed document from formatting requirements applicable to paper documents presented to a register of deeds for registration.*

CURRENT LAW: Instruments presented to a register of deeds for registration on paper, other than financing statements and amendments conforming to the requirements of Article 9 of the Uniform Commercial Code, must meet the following formatting requirements:

- Be eight and one-half inches by eleven inches or eight and one-half inches by fourteen inches.
- Have a blank margin of three inches at the top of the first page and blank margins of at least one-half inches on the remaining sides of the first page and on all sides of subsequent pages.
- Be typed or printed in black on white paper in a legible font. A font size no smaller than nine points shall be considered legible. Blanks in an instrument may be completed in pen and corrections to an instrument may be made in pen.
- Have text typed or printed on one side of a page only.
- State the type of instrument at the top of the first page.

Instruments not meeting these requirements can be registered only after paying a \$25 fee for nonstandard documents in addition to all other applicable recording fees. If the instrument's only noncompliance is having a font size smaller than nine points, it can be registered without payment of the fee if, in the discretion of the register of deeds, the instrument is legible.¹

Paper documents filed with the court must be unfolded and firmly bound with no manuscript cover, and except for wills and exhibits, must be letter size (8 1/2" x 11").²

BILL ANALYSIS: Senate Bill 445 would exempt any certified copy of a court-filed document from the formatting requirements applicable to paper documents presented for registration to a register of deeds.

EFFECTIVE DATE: This act would become effective when it becomes law and apply to instruments presented for registration on or after that date.

* *Bill Patterson, Legislative Analysis Division, substantially contributed to this summary.*

¹ G.S. 161-14(b).

² Rule 5(c) and Rule 5.1(c), General Rules of Practice for the Superior and District Courts.

Jeffrey Hudson
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