

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 386
Judiciary II Committee Substitute Adopted 4/15/15

Short Title: Registers of Deeds/UCC Recording Fees.

(Public)

Sponsors:

Referred to:

March 25, 2015

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

4 The General Assembly of North Carolina enacts:

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

6 "**§ 161-10. Uniform fees of registers of deeds.**

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

10 ...
11 (13) Uniform Commercial Code. – ~~Such fees as are provided for in Chapter 25,~~
12 ~~Article 9, Part 5, of the General Statutes.~~The following fees apply for
13 services related to financing statements or other records under Part 5 of
14 Article 9 of Chapter 25 of the General Statutes:

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

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

27"

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

29 "**§ 25-9-525. Fees.**

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

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



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.