

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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SENATE BILL 445

Short Title: Recording of Court-Filed Documents. (Public)

Sponsors: Senator Daniel (Primary Sponsor).

Referred to: Rules and Operations of the Senate

April 3, 2023

A BILL TO BE ENTITLED
AN ACT TO ALLOW CERTIFIED COPIES OF COURT-FILED DOCUMENTS TO BE
RECORDED WITHOUT MEETING CERTAIN CONFORMING REQUIREMENTS OF
THE REGISTER OF DEEDS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 161-14 reads as rewritten:

"§ 161-14. Registration of instruments.

(a) After the register of deeds has determined that all statutory and locally adopted prerequisites for recording have been met, the register of deeds shall immediately register all written instruments presented to him for registration. When an instrument is presented for registration, the register of deeds shall endorse upon it the day and hour on which it was presented. This endorsement forms a part of the registration of the instrument. All instruments shall be registered in the precise order in which they were presented for registration. Immediately after endorsing the day and hour of presentation upon an instrument, the register of deeds shall index and cross-index it in its proper sequence. The register of deeds shall then proceed to register it on the day that it is presented unless a temporary index has been established.

The register of deeds may establish a temporary index in which all instruments presented for registration shall be indexed until they are registered and entered in the permanent indexes. A temporary index shall operate in all respects as the permanent index. All instruments presented for registration shall be registered and indexed and cross-indexed on the permanent indexes not later than 30 days after the date of presentation.

(b) All instruments, except instruments conforming to the provisions of ~~G.S. 25-9-521,~~
G.S. 25-9-521 and any certified copy of a court-filed document, presented for registration on paper shall meet all of the following requirements:

- (1) Be eight and one-half inches by eleven inches or eight and one-half inches by fourteen inches.
- (2) 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.
- (3) Be typed or printed in black on white paper in a legible font. A font size no smaller than 9 points shall be considered legible. Blanks in an instrument may be completed in pen and corrections to an instrument may be made in pen.
- (4) Have text typed or printed on one side of a page only.
- (5) State the type of instrument at the top of the first page.

If an instrument does not meet these requirements, the register of deeds shall register the instrument after collecting the fee for nonstandard documents as required by G.S. 161-10(a)(18a)



1 in addition to all other applicable recording fees. However, if an instrument fails to meet the
2 requirements because it contains print in a font size smaller than 9 points, the register of deeds
3 may register the instrument without collecting the fee for nonstandard documents if, in the
4 discretion of the register of deeds, the instrument is legible.

5 (c) Repealed by Session Laws 2019-35, s. 4, effective June 21, 2019.

6 (d) For the purposes of this section, the term "instrument" means all of the following for
7 which a fee is collected under G.S. 161-10(a):

8 (1) Instruments in General.

9 (2) Deeds of Trust, Mortgages, and Cancellation of Deeds of Trust and
10 Mortgages.

11 (3) Uniform Commercial Code filings.

12 (4) Torrens Registrations.

13 (5) Master Forms.

14 (e) Notwithstanding subsection (a) of this section, the register of deeds shall immediately
15 register a written instrument presented to him or her for registration that meets the following
16 requirements: (i) the instrument is a portion of a map of a cemetery that was divided into sections
17 based upon race, (ii) the other portion of the map of a cemetery was properly registered in the
18 office of the register of deeds, and (iii) the unregistered portion of the map does not have the
19 surveyor's stamp or seal and original signature affixed."

20 **SECTION 2.** This act is effective when it becomes law and applies to instruments
21 presented for registration on or after that date.