

Date of Hearing: April 22, 2026

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Juan Carrillo, Chair

AB 2224 (Hadwick) – As Amended April 6, 2026

SUBJECT: County recorders: fees

SUMMARY: Increases the fees county recorders (recorders) may charge for recording and indexing documents to maximums of \$15 for the first page and \$4 for each additional page, requires recorders collecting these fees to implement an electronic recording delivery system (ERDS), and makes additional changes to the duties of recorders and the various fees they may charge for recording documents. Specifically, **this bill:**

- 1) Increases the maximum fees for recording and indexing every instrument, paper, or notice required or permitted by law to be recorded from \$10 to \$15 for recording the first page and from \$3 to \$4 for each additional page, to reimburse the county for the costs of rendering these services.
- 2) Requires a recorder collecting the fees pursuant to 1), above, to implement an ERDS pursuant to the Electronic Recording Delivery Act of 2004 (ERDA) on or before January 1, 2028.
- 3) Specifies that the fees authorized pursuant to 1), above, shall not exceed the reasonable costs of the recorder's office for providing these services.
- 4) Deletes provisions in existing law that require recorders to charge additional fees for the following:
 - a) A \$1 per page fee if printing is spaced incorrectly, as specified.
 - b) A \$3 per page or per sheet fee if a page or sheet does not conform to certain dimensions, as specified.
 - c) A \$1 per reference fee for references to previously recorded documents that require additional indexing, as specified.
 - d) A \$1 fee for recording a document that requires additional indexing and does not refer to a previously recorded document, as specified.
- 5) Deletes a provision requiring \$1 of the recording fee for each additional page to be deposited in the county general fund.
- 6) Requires, unless otherwise specified, all fees collected by the recorder to be restricted, dedicated to, and solely utilized for, the recorder's office, as specified.
- 7) Requires the recorder to provide access to a true copy of the public record for each instrument, paper, or notice, recorded in the office of the recorder, to facilitate public inspection.

- 8) Makes permanent certain provisions of the ERDA by deleting the sunset date of January 1, 2027, that applies to:
 - a) A provision allowing a recorder to enter into contracts with specified entities for digital records and requiring these entities to provide proof of general liability coverage, as specified.
 - b) A provision that allows regulations adopted by the Attorney General (AG) pursuant to the ERDA to include requirements for general liability coverage specified in a), above.
- 9) Makes technical, clarifying and conforming changes.
- 10) Contains findings and declarations regarding its purpose.
- 11) Provides that no reimbursement is required by this bill pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this bill, as specified.

EXISTING LAW:

- 1) Prohibits the fee for recording and indexing an instrument, paper, or notice from exceeding \$10 for recording the first page and \$3 fee for each additional page, to reimburse the county for the costs of services rendered, as specified. [Government Code (GOV) § 27361]
- 2) Requires \$1 of each \$3 fee for each additional page to be deposited in the county general fund. (GOV § 27361)
- 3) Authorizes additional recording fees for specified purposes (GOV §§ 27361, 27361.2, 27361.3, 27361.8, and 27388.2, among others)
- 4) Establishes the ERDA, which provides the following:
 - a) Authorizes, upon approval by resolution of the board of supervisors and system certification by the AG, a recorder to establish an ERDS.
 - b) Authorizes, upon system certification, a recorder to enter into a contract with specified entities for the delivery for recording, and return to the party requesting recording, a digitized electronic record.
 - c) Authorizes, until January 1, 2027, a county to enter into a contract with an entity other than those specified above, if certain requirements are met. (GOV §§ 27390 – 27399)

FISCAL EFFECT: This bill is keyed fiscal and contains a state-mandated local program.

COMMENTS:

- 1) **Author's Statement.** "California county recorder's offices are funded via fees on recorded documents. However, their costs have risen while fees have not been increased since 2011—resulting in growing budget shortages. Assembly Bill 2224 creates a more straightforward

fee system for consumers and helps recorders recuperate their rising costs while requiring them to offer digital recording services.”

- 2) **Background.** County recorders serve as the custodian of vital records, recorded land documents and other legal documents that support the integrity of property ownership and legal transactions. Documents that are commonly recorded include payments of taxes or fees, filings of fictitious business names, deeds, mortgage documents, easements, power of attorney documents, liens, and any documents that affect the ownership of any given property. Other documents include deeds of trust, court decrees, and many other documents affecting title to real property; commercial code filings; subdivision maps; vital statistics such as births, deaths, and marriages; and other items.
- 3) **Recording Fees.** County recorders are a fee-for-service operation with fees structured to allow for cost recovery. Existing law requires the county recorder to accept for recordation any instrument, paper, or notice that is authorized or required to be recorded, subject to the collection of specified fees. Existing law prohibits the base fee for recording and indexing an instrument, paper, or notice from exceeding \$10 for recording the first page and \$3 for each additional page. Existing law requires \$1 of each \$3 fee for each additional page to be deposited in the county general fund. Existing law allows the county recorder to charge several additional fees sufficient to defray county recorders' costs for specified purposes.

The most recent county recorder's fee increase was enacted via SB 676 (Wolk), Chapter 606, Statutes of 2009. SB 676 increased the maximum charge for the recording of the first page from \$4 to \$10 and maintained the maximum charge of \$3 for each additional page, with the ability to charge additional specified fees.

- 4) **Electronic Recording.** AB 578 (Leno), Chapter 621, Statutes of 2004, established the ERDA to create a statewide system for county recorders to record electronic records of real property instruments. AB 578 required the AG to adopt regulations for certification and oversight of any ERDS and associated software and other services. AB 578 followed several years of legislative action regarding electronic recording.

Pursuant to the requirements of AB 1906 (Brewer), Chapter 463, Statutes of 1998, the AG's Task Force on Electronic Recordation (Task Force) presented its recommendations in July 1999. The Task Force found that by transmitting digital images of documents over telecommunication lines, rather than delivering them in person to county offices, business representatives could save local agencies and themselves time and money. However, the Task Force warned, "the use of these new technologies, while providing opportunities for substantial improvement of service," also exposes the most sensitive of public records to the possibility of "corruption, damage, or destruction." In addition, pilot projects in Orange and San Bernardino counties were approved by the Legislature in 1996 and 1998.

In order to establish an ERDS, a county recorder must be authorized to do so by resolution of the county board and must obtain system certification from the ERDS Program, which is administered by the AG. A county's ERDS must meet specified security standards and all persons with a secure access role are required to undergo fingerprint criminal history checks.

AB 2143 (Irwin), Chapter 380, Statutes of 2016, allowed additional persons and entities to deliver electronic records to county recorders for recording and expanded the types of

electronic records that may be delivered to a county recorder for recording pursuant to the ERDA. AB 2143 also included a sunset date of January 1, 2027, on these provisions to ensure legislative review of the bill's expanded authorizations.

According to this Committee's analysis of AB 2143:

“Among its many provisions, ERDA required the AG to conduct an evaluation of ERDS and report to the Legislature by June 30, 2009. Due to the lengthy regulatory process, the report was completed before any ERDS were certified. The report focused largely on the activities of the AG in complying with the requirements of ERDA as they pertained to the development of regulations and program procedures. However, the report also included information from the experiences of Orange County and San Bernardino County. Both counties reported significant cost savings and potential improvements in security and real estate fraud prevention due to the security protections built into their electronic recording systems. Both the AG and the County Recorders Association of California, sponsor of this measure, attest that there have been no instances of fraud connected with the use of ERDS since it became operational. To date, the AG has certified ERDS for 24 counties.”

The County Recorders Association of California, sponsor of this bill, reports that most counties have implemented electronic recording, except for the following: Alpine, Amador, Colusa, Del Norte, Imperial, Lake, Lassen, Mariposa, Mendocino, Sierra, Siskiyou, and Trinity.

- 5) **Bill Summary.** This bill allows increases in the maximum recording fees to \$15 for recording the first page and \$4 for each additional page. Recorders that collect these fees must implement an ERDS pursuant to the ERDA by January 1, 2028. This bill specifies that these fees shall not exceed the reasonable costs of the recorder's office for providing these services.

This bill deletes provisions in existing law that require recorders to charge additional fees for specified items and deletes a requirement that \$1 of the recording fee for each additional page be deposited in the county general fund. This bill requires all fees collected by the recorder to be restricted, dedicated to, and solely utilized for the recorder's office, unless otherwise specified.

This bill requires the recorder to provide access to a true copy of the public record for each instrument, paper, or notice, recorded in the office of the recorder to facilitate public inspection. This bill also makes permanent certain provisions of the ERDA that were enacted temporarily via AB 2143.

This bill is sponsored by the County Recorders Association of California.

- 6) **Previous Legislation.** AB 1430 (Bennett) of 2025 would have increased the recording and indexing fee to \$15 for recording the first page and \$4 for recording each additional page at the county recorder's office and made additional changes to various recording fees for specified purposes. AB 1430 was vetoed with the following message:

“Californians realizing the dream of property ownership rely on recorder offices to handle important documents with care, making these offices critical points of interaction between residents and their government. I appreciate the author's intent to improve the efficiency of California's land title system, for both the public and county recorders, to ensure expeditious processing of real property records. However, raising these fees on Californians will disincentivize efforts to think innovatively about how to deliver recording services at a lower cost, faster, and with better customer service. I encourage the author and counties to consider ways to achieve that goal without solely relying on fee increases. For this reason, I cannot sign this bill.”

AB 2143 (Irwin), Chapter 380, Statutes of 2016, allowed additional persons and entities to deliver electronic records to county recorders for recording and expanded the types of electronic records that may be delivered to a county recorder for recording pursuant to the ERDA until January 1, 2027.

AB 1738 (Committee on Local Government), Chapter 520, Statutes of 2005, required a federal background check to be conducted before any person could be authorized to secure access to an ERDS.

AB 578 (Leno), Chapter 621, Statutes of 2004, established the ERDA and created a statewide system for county recorders to record electronic records of real property instruments.

AB 1906 (Brewer), Chapter 463, Statutes of 1998, extended the pilot program allowing Orange County and San Bernardino County to accept digitized property records from title companies, and required the AG to appoint a task force to address technical, legal, security, and economic issues associated with electronic recordation.

AB 3296 (Brewer), Chapter 842, Statutes of 1996, allowed Orange County and San Bernardino County to accept digitized property records from title companies under specified conditions, until January 1, 1999.

- 7) **Arguments in Support.** The County Recorders Association of California, sponsor of this measure, writes, “Legislative statutes govern Recorder office structures and fee authority to ensure stable, cost recovery funding. Currently, Government Code 27361 authorizes County Recorders to charge a fee maximum of \$10 for the first page of a document, and \$3 for every additional page – a fee that was codified in 2009 and implemented 15 years ago in January 2010. Recorder offices are fee-for-service departments, the Recorder can only charge for the services provided and are not to collect more than the cost of providing those services to the public. AB 2224 modernizes the allowable base recording fee, which will help advance electronic recording and AB 2224 in turn also eliminates outdated fees that are no longer necessary due to technological advances. The bill continues to require fees collected to be dedicated to, and solely utilized for, the county recorder’s office, and the statutory language specifically articulates that the base fee cannot exceed the cost of providing the recording services.

“Additionally, AB 2224 will require all 58 counties in California to transition to a modern electronic recording model to ensure our offices are incorporating modern technologies that ensures we are operating efficiently. With this transition, County Recorders are prepared to eliminate the outdated paper-based fees found under GC27361; including the \$3 non-conforming and \$1 penalty print fee (\$4 total), which moves us closer to the industry

recommended consistent fee structure across all counties. The ability to relinquish these obsolete fees is directly tied to establishing a sustainable, modernized base recording fee that supports the technology necessary to serve the public effectively.”

8) **Arguments in Opposition.** None on file.

REGISTERED SUPPORT / OPPOSITION:

Support

County Recorders Association of California [SPONSOR]
Butte County Clerk-Recorder/Registrar of Voters
Colusa County Clerk-Recorder-Registrar
Inyo County Clerk-Recorder
Napa County Assessor-Recorder-County Clerk
Riverside County Assessor-County Clerk-Recorder
Shasta County Assessor-Recorder
Yolo County Clerk-Recorder

Opposition

None on file

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