

Date of Hearing: May 6, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

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

Policy Committee: Local Government

Vote: 9 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY:

This bill increases the base recording and indexing fee a county recorder may charge to \$15 for recording the first page and \$4 for recording each additional page, and requires recorders collecting these fees to implement an electronic recording delivery system (ERDS).

Specifically, this bill:

- 1) Increases the fee for recording and indexing every instrument, paper, or notice required or permitted by law to be recorded to \$15 (from a maximum of \$10) for recording the first page and to \$4 (from a maximum of \$3) for each additional page, to reimburse the county for the costs of rendering these services.
- 2) Requires a recorder collecting a fee pursuant to item 1), above, to implement an ERDS pursuant to the Electronic Recording Delivery Act (ERDA) of 2004, by January 1, 2028.
- 3) Prohibits the fee required pursuant to item 1), above, from exceeding the reasonable costs of the county recorder's office for providing these services.
- 4) Deletes four existing recording fees (totaling \$6).
- 5) Deletes a provision requiring \$1 of the recording fee for each additional page 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 ERDA by deleting the sunset date of January 1, 2027.

FISCAL EFFECT:

No state costs. One-time local costs, likely minor, to each county recorder's office to implement the fee changes authorized by this bill. Additional unknown costs to the 12 county recorders that have yet to implement ERDS. These costs are not reimbursable by the state because a local agency has general authority to charge and adjust fees to offset increased costs associated with

the provisions of this bill. However, because county recorder fees are capped in statute, in many counties cost recovery from recorder's fees falls short and the county general fund must subsidize the office to maintain services.

COMMENTS:

- 1) **Purpose.** This bill is sponsored by the County Recorders' Association of California. According to the author:

California county recorder's offices are funded via fees on recorded documents. However, their costs have risen while fees have not been increased since 201, resulting in growing budget shortages. [This bill] 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. Recorder Fees.** 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. 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 recording any instrument, paper, or notice 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. Not all counties charge the maximum fees allowed.

The base county recorder fee has not been increased since 2010, when it was raised from \$4 to \$10. According to the sponsor, the current funding situation poses a significant threat to recorder operations, and without an inflation adjustment, county recorders will have increasing difficulty in providing quality services to the public. Currently, 34 of the 58 county recorders have requested or rely on county general fund dollars to maintain services.

ERDA. The ERDA created a statewide system for county recorders to record electronic records of real property instruments. To establish an ERDS, a county recorder must be authorized by resolution of the county board and must obtain system certification from the ERDS Program, administered by the Attorney General. A county's ERDS must meet specified security standards and all persons with a secure access role must undergo a fingerprint criminal background check.

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 included a January 12, 2027, sunset date. This bill's sponsor reports that all but 12 small counties have implemented electronic recording.

- 3) **Related Legislation.** AB 1430 (Bennett), of this legislative session, contained recording fee increases similar to those in this bill but was vetoed by the Governor, who expressed concern

that raising fees would “disincentivize efforts to think innovatively about how to deliver recording services at a lower cost, faster, and with better customer service.”

According to the author and sponsor, this bill responds to the Governor’s veto message to improve transparency and efficiency in the recording process by standardizing recording fees, eliminating outdated charges, and requiring statewide electronic recording to ensure timely and accessible public records.

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