

HB576: State Archives - Record Services - Fees

Sponsor: Delegate Mike Griffith

Position: FAVORABLE

Testimony on behalf of First American Title Insurance Company

Issue:

The Office of the State Archivist is responsible for collecting and maintaining land records through the Circuit Court Real Property Records Improvement Fund, which is funded through a \$40 per document recordation fee charged per settlement. Earlier last year, the Office of the State Archivist proposed a new page per view fee that was ultimately not put in place.

Concern:

The new fee was not presented as either a proposed rule under the Administrative Procedures Act nor legislation through the Maryland General Assembly. Potentially, the new fee could have been put in place without public comment. While the Office of the State Archivist felt that they had authorization to put a new fee in place in this manner, it is open to interpretation.

Solution:

HB576 will provide clarity that new fee proposals must be by proposed rulemaking providing the opportunity for the public to comment.

For any questions or more information regarding First American Title Company's position, please contact Jamie Gregory at jgregory@lhstrategy.com or 202-841-3567.