



Delaware House of Representatives House Majority Caucus

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BILLS CONSOLIDATING COUNTY RECORDER OF DEEDS OFFICES INTRODUCED

Proposal would consolidate county functions, save taxpayers' money through efficiencies

DOVER – Plans to consolidate the county recorder of deeds offices' functions took shape on Thursday when Rep. Dennis E. Williams filed two pieces of legislation, including a constitutional amendment to remove the recorder as an elected office.

The proposal, which Governor Jack A. Markell called for in his State of the State address in January, would end a 218-year-old system of three separate county recorders and create a single statewide recordation system. The old row offices have been elected offices since 1897. Prior to that, governors appointed county recorders for five-year terms.

“Given the budgetary challenges the state has faced in recent years, we cannot continue to operate business as usual,” said Rep. Williams, D-Talleyville. “Taking the county recorder of deeds offices and consolidating their systems will save taxpayers' money and deliver governmental services in a more efficient and effective manner.”

The recorder of deeds offices house numerous records, including land transaction records, corporate filings and financing statements, deeds, easements, mortgage documentation, plot plans, oaths of office and appointments. The three county offices process more than 150,000 documents each year.

Rep. Williams noted that all three county offices have separate fee and tax collection systems, which results in different timetables for reporting and transferring revenue to the state. Consolidating the offices' functions would create a uniform system that would improve government efficiency and services.

The proposal is comprised of two pieces of legislation. House Bill 465 is the first leg of a constitutional amendment that would remove the provision requiring that the recorder of deeds be an elected office. That bill would need to be passed by two consecutive General Assemblies.

The 145th General Assembly ends at the end of this year, so an identical version of the bill would need to be passed in the 146th General Assembly, which runs from 2011-12.

House Joint Resolution 12 would authorize a working group that would craft legislation creating a statewide recordation system. The group would include the current recorders of deeds and their staffs, county governments, Delaware State Bar Association and other relevant state and county agencies.

Under the resolution, any proposal to consolidate would be required to be “revenue neutral” for the counties – they would maintain the net revenue they currently collect from the offices – and ensure that any affected employees would be able to retain their pension and benefit plans offered by the counties.

“Dennis Williams has a background in finding cost savings and creating efficiencies,” Governor Markell said. “This bill would do exactly that for taxpayers. It would streamline the performance of each office and reduce its costs across the state.”

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