



# Kentucky County Clerks Association

LAND RECORDS UPDATE

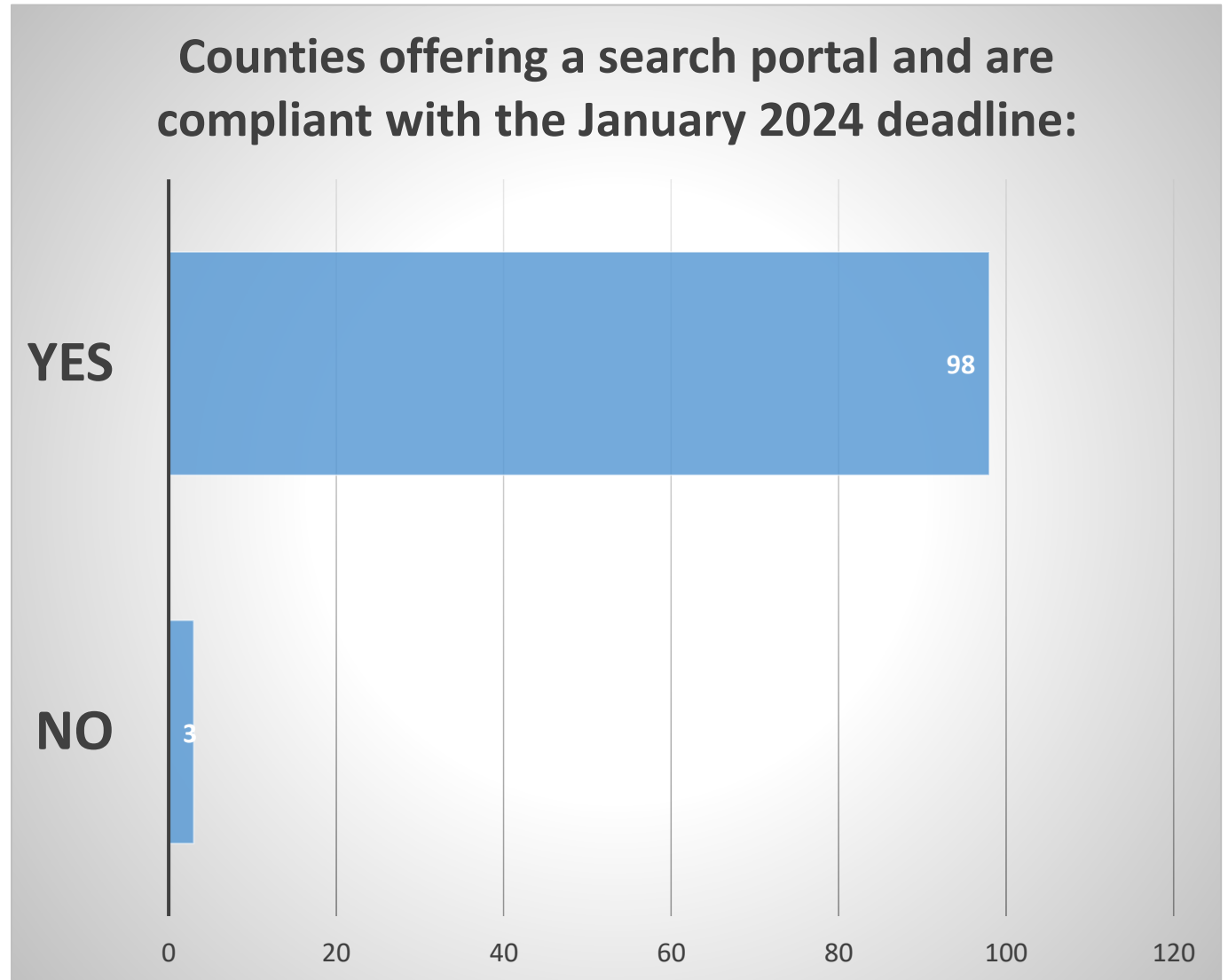
SEPTEMBER 26, 2023

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# Snapshot of Survey

- **101 Survey Participants**
- **Almost 85% of County Clerks Responded**
- **68% of County Clerks have 1-2 full time recording deputies**
- **94 of 101 County Clerks participating have less than 5 full time recording deputies**



# 2021 Task Force and the Laws Adopted

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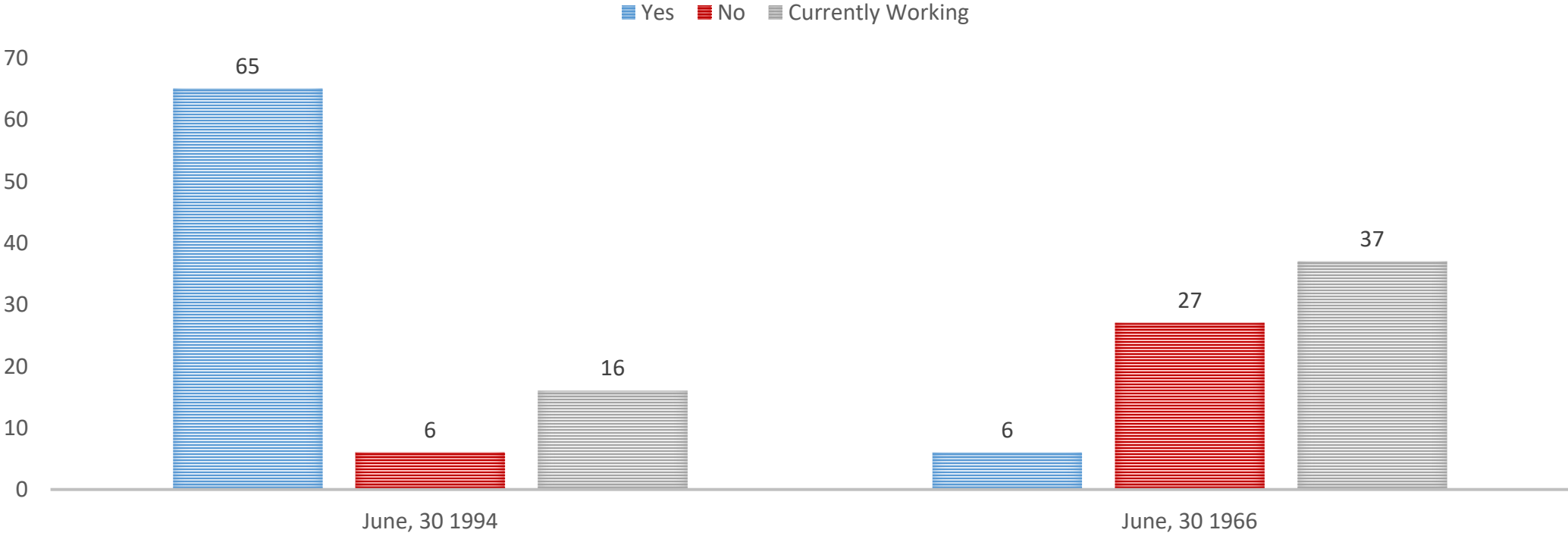
- ❖ January 1, 2024: All County Clerks shall and maintain the portal that allows a person to electronically file any recorded instrument
- ❖ June 30, 2024 each county clerk shall provide and maintain a portal that contains the recorded instruments filed on or after June 30, 1994
  - ❖ Child Support Liens: Filed on or after June 30, 2024
  - ❖ Judgment Liens, Recoupment and Unemployment Liens, Lis Pendens notices: Filed on or after June 30, 2009
  - ❖ Federal and State Tax Liens, and Civil Penalty Liens Filed on or after June 30, 2014
  - ❖ Homeowner's association, condo liens, and bail bonds Filed on or after June 30, 2019
- ❖ June 30, 2026 each county clerk shall provide and maintain a portal that contains the recorded instruments filed on or after June 30, 1966 but before June 30, 1994

## Required Documents for 2024 & 2026 Deadlines

- ❖ Deeds
- ❖ Mortgages
- ❖ Fixture filings under the Uniform Commercial Code
- ❖ Plats of subdivided property
- ❖ All covenants, conditions, and restrictions that relate to real property
- ❖ Easements
- ❖ Leases or memorandum of leases
- ❖ Powers of attorney
- ❖ Land contracts
- ❖ Wills
- ❖ Affidavits that affect or clarify the title to property

# Meeting the Deadlines!

## BACK SCANNING DEADLINES



# Funding Sources

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- ❖ \$10 Storage Fee:

- ❖ Collected when certain documents are recorded
- ❖ Turned over into a separate account to the Fiscal Court
- ❖ It must be spent on land records projects, equipment, or storage

- ❖ 25 Million allocated from the last biennium

- ❖ RFP process lead by the Finance Department with Clerk involvement
- ❖ RFP is currently out and closing soon
- ❖ Expect funds to be released this fall

- ❖ Fees from office

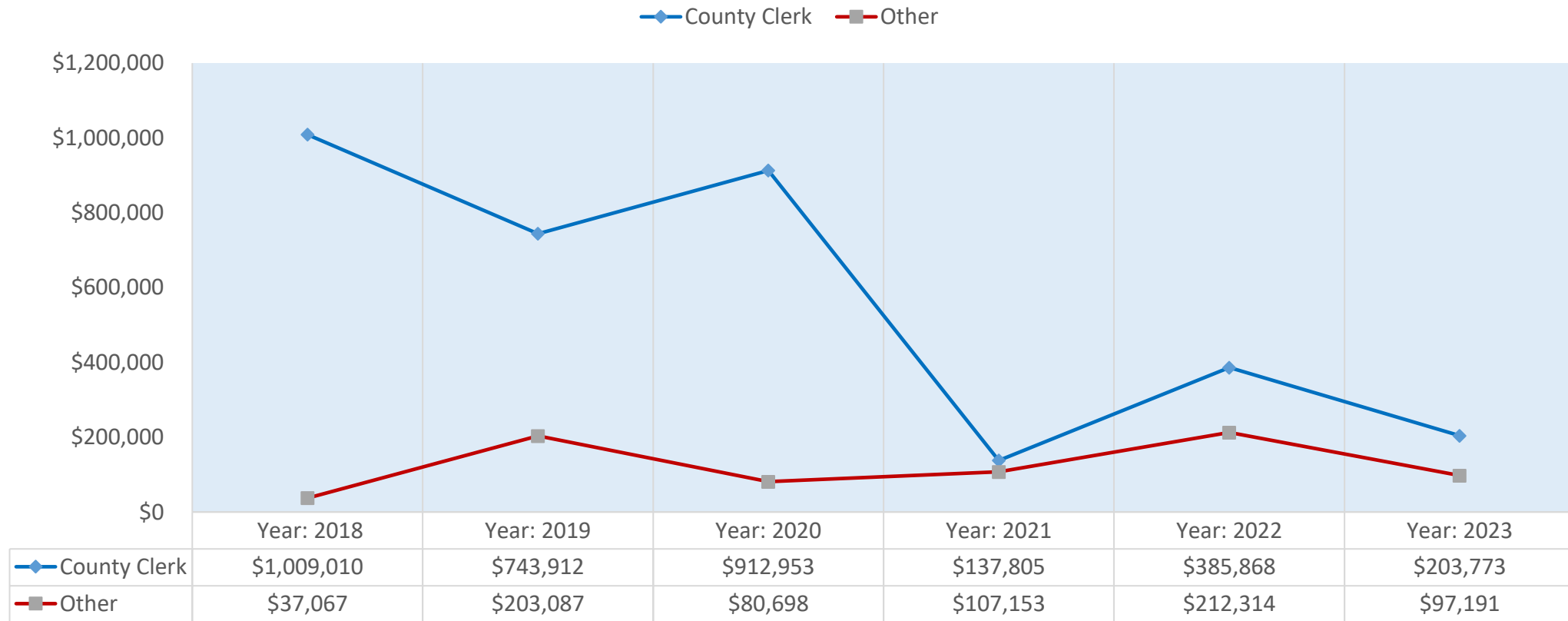
- ❖ Some clerks can fund back scanning, upgrade equipment, or purchasing storage with their annual fee collection

- ❖ KDLA-Local Records Grants

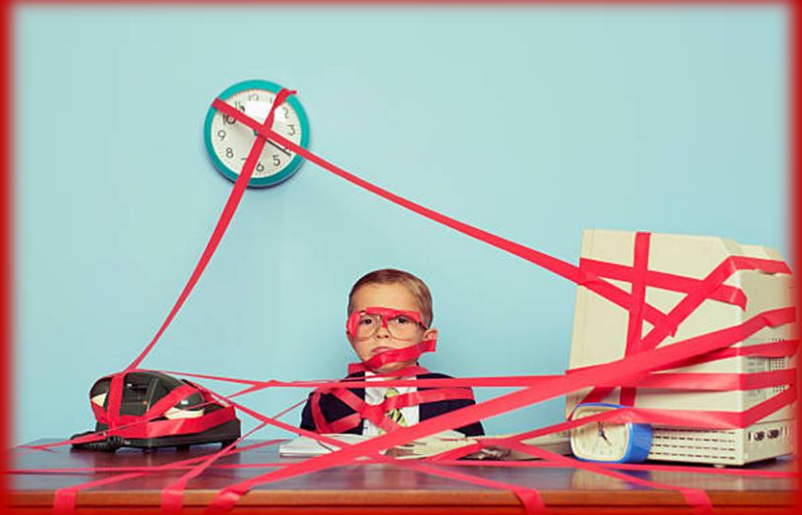
- ❖ County Clerks are the only entity who funds the local records grants
- ❖ 2022 legislation adopted that 90% of off funds allocated are to be awarded to County Clerks
- ❖ Project Grants
- ❖ Equipment Grants
- ❖ Salary Grants

# Funding by Years

## County Clerk vs. Non Permanent Record Agencies



# KDLA Process Red Tape



- ❖ History of Applying for KDLA Grants
- ❖ Current constraints
  - ❖ Regional Representatives
  - ❖ Less Clerks Applying
- ❖ Modernization vs. Preservation
- ❖ Communication Inconsistences between the representatives and leadership at KDLA
- ❖ Several Grants receive partial funding
- ❖ Bidding Process
  - ❖ Lowest Bid is always selected
  - ❖ Lowest Bid is not always the best or even compatible with the current system in that county which leaves the Clerk with formatting and conversion issues
- ❖ Grant Committee



*Thank  
you!*

Kentucky County Clerk's Association

September 26, 2023