

1 SENATE BILL NO. 95

2 INTRODUCED BY J. SHOCKLEY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE EXEMPTION OF AN ACKNOWLEDGMENT BY A
5 NOTARY FROM THE STANDARDS FOR DOCUMENTS TO BE RECORDED BY COUNTY CLERKS; AND
6 AMENDING SECTION 7-4-2636, MCA."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **Section 1.** Section 7-4-2636, MCA, is amended to read:

11 **"7-4-2636. Standards for recorded documents -- exemptions.** (1) Unless accompanied by the
12 appropriate fee required in 7-4-2637, a document submitted for recording that conveys an interest in real property
13 must:

14 (a) be legibly printed or typed in black ink in at least 10-point typeface on white paper of not less than
15 20-pound weight, each page of which must be separated and have dimensions of either 8 1/2 x 11 inches or 8 1/2
16 x 14 inches;

17 (b) provide the names of the parties to the conveyance on the first or second page of any document with
18 more than one page;

19 (c) provide a description of the property;

20 (d) have all signatures, initials, dates, handwriting, or notary stamps in blue or black ink;

21 (e) except as provided in subsection (1)(f) and except for page numbers or other designations, have
22 margins that are clear of all markings in the following dimensions:

23 (i) at least 3 inches at the top of the first page and at least 1 inch at the top of the second and any
24 subsequent pages;

25 (ii) at least 1 inch on the bottom of each page;

26 (iii) at least 1/2 inch on the sides of each page; and

27 (f) include the name and mailing address of the person to whom the document is to be returned in the
28 margin in the upper left-hand corner of the first page within the 3-inch top margin and between the 1/2-inch side
29 margins of each document submitted and may include legibly printed or typed transactional information.

30 (2) Unless accompanied by the fee required in 7-4-2637, all other documents submitted for recording

1 must meet the requirements of subsections (1)(a), (1)(e), and (1)(f).

2 (3) (a) Except as provided in subsection (3)(b), only documents submitted for recording and filing that
3 conform to the provisions of subsection (1) or (2) are considered standard documents for the purposes of
4 7-4-2637.

5 (b) Documents that are acknowledged as having been executed prior to April 28, 2007, must be
6 accepted for recording and considered standard documents, regardless of whether they conform to the provisions
7 of subsection (1) or (2).

8 (4) (a) An acknowledgment by a notary is exempt from the color, typeface, ~~and font,~~ and margin
9 requirements of this section.

10 (b) An officially certified court or other government document, whether from an in-state or out-of-state
11 office, is exempt from the provisions of this section."

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