

§§1-5  
C. 46:16-15  
To  
46:16-19

P.L. 1997, CHAPTER 412, *approved January 19, 1998*  
Assembly, No. 601 (*First Reprint*)

1 **AN ACT** concerning registration of certain federal liens, amending  
2 P.L.1965, c.123 and supplementing chapter 16 of Title 46 of the  
3 Revised Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

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8 1. (New section) This act applies to liens arising from the federal  
9 "Comprehensive Environmental Response, Compensation and Liability  
10 Act of 1980," Pub.L.96-510 (42 U.S.C.§9601 et seq.), and to other  
11 federal liens, notice of which under any Act of Congress or any  
12 regulation adopted pursuant thereto, are required or permitted to be  
13 filed in such filing or recording office as a state may designate;  
14 provided, however, that the provisions of this act shall not apply to  
15 filing notice of federal tax liens pursuant to the Internal Revenue  
16 Code, 26 U.S.C.§1 et seq., and which are subject to R.S.46:16-13.

17

18 2. (New section) Notices of liens upon real property for  
19 obligations payable to the United States and certificates and notices  
20 affecting the liens shall be filed in the office of the county recording  
21 officer of the county or counties wherein the property subject to such  
22 liens is situated.

23

24 3. (New section) Certification of notices of liens, certificates, or  
25 other notices affecting federal liens by the Secretary of the Treasury  
26 of the United States or his delegate, or by any official or entity of the  
27 United States responsible for filing or certifying of notice of any other  
28 lien, entitles them to be filed and no other attestation, certification, or  
29 acknowledgement is necessary.

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31 4. (New section) a. If a notice of federal lien, a refiling of a notice

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

**<sup>1</sup> Senate SSM committee amendments adopted March 3, 1997.**

1 of federal lien, or a notice of revocation of any certificate is presented  
2 to the county recording officer, he shall endorse thereon his  
3 identification and the date and time of receipt and forthwith file it  
4 alphabetically or enter it in an alphabetical index showing the name and  
5 address of the person named in the notice, the date and time of receipt,  
6 the title and address of the official or entity certifying the lien, and the  
7 total amount appearing on the notice of lien.

8 b. If a refiled notice of federal lien referred to in subsection a. of  
9 this section or any certificate of release, nonattachment, discharge or  
10 subordination is presented for filing to the county recording officer, he  
11 shall permanently attach the refiled notice of the certificate to the  
12 original notice of lien and enter the refiled notice or the certificate with  
13 the date of filing in any alphabetical lien index on the line where the  
14 original notice of lien is entered.

15 c. <sup>1</sup>[Upon request of any person, the filing officer shall issue his  
16 certificate showing whether there is on file, on the date and hour  
17 stated therein, any notice of lien or certificate or notice affecting any  
18 lien filed under this act, naming a particular person, and if a notice or  
19 certificate is on file, giving the date and hour of filing of each notice  
20 or certificate. The fee for a certificate is \$8] All notices received by  
21 a filing officer pursuant to this section and the index of the notices  
22 shall be held for public inspection by the filing officer<sup>1</sup>. Upon request,  
23 the filing officer shall furnish a copy of any notice of federal lien, or  
24 notice or certificate affecting a federal lien, for a fee of \$2 per page.  
25

26 5. (New section) The fee for filing and indexing each notice of lien  
27 or certificate or notice affecting the lien is:

- 28 a. For a lien on real estate, \$8;
- 29 b. For a lien on tangible and intangible personal property, \$8;
- 30 c. For a certificate of discharge or subordination, \$8;
- 31 d. For all other notices, including a certificate of release or  
32 nonattachment, \$5.00.

33 The officer shall bill the district directors of internal revenue or  
34 other appropriate federal officials on a monthly basis for fees for  
35 documents filed by them.  
36

37 6. Section 2 of P.L.1965, c.123 (C.22A:4-4.1) is amended to read  
38 as follows:

39 2. County clerks and registers of deeds and mortgages, in counties  
40 having such offices, shall charge for the services herein enumerated the  
41 following fees:  
42

	Fee
43	
44 For recording veteran's discharge papers . . . .	No fee
45 For recording any instrument:	
46 First page . . . . .	\$15.00

1	Each additional page or part thereof . . . . .	\$ 2.00
2	Each rider, insertion, addition, or any map,	
3	plat or sketch filed or recorded	
4	pursuant to paragraph (c) of section	
5	2 of P.L.1957, chapter 130 (C.48:3-17.3) . . . . .	\$ 2.00
6	For entering the marginal notation of an	
7	order judgment, statement or warrant	
8	discharging, annulling a notice of	
9	lis pendens and for filing such order,	
10	judgment or statement . . . . .	\$ 3.00
11	For preparing and transmitting to the assessor,	
12	collector, or other custodian of the	
13	assessment map of any taxing district,	
14	the abstract of an instrument evidencing	
15	title to realty . . . . .	\$ 3.00
16	For entering the marginal notation of a	
17	discharge or release of a New Jersey	
18	building and loan or savings and loan	
19	mortgage and forwarding abstract . . . . .	\$ 3.00
20	For entering the marginal notation of a	
21	discharge, assignment, postponement or	
22	release of a mortgage, other than	
23	building and loan and savings and	
24	loan mortgages . . . . .	\$ 3.00
25	For the cancellation of any mortgage . . . . .	\$ 8.00
26	For a marginal notation of the discharge of	
27	a mortgage in counties where mortgages	
28	are indexed under a system requiring a	
29	duplication of indices and description . . . . .	\$ 3.00
30	For filing and recording notice of federal tax	
31	lien or <u>other federal lien</u> or certificate	
32	discharging such lien . . . . .	\$ 8.00
33	For filing each map, plat, plan or chart (except	
34	when presented by the State or its agencies	
35	or filed pursuant to paragraph (c) of section	
36	2 of P.L.1957, c.130 (C.48:3-17.3)) . . . . .	\$18.00
37	For recording tax sale certificate, except by	
38	municipalities, or a redemption or	
39	assignment of tax sale certificate,	
40	first page . . . . .	\$15.00
41	Each additional page or part thereof . . . . .	\$ 2.00
42	Certified copy of veteran's discharge . . . . .	\$ 1.00
43	For indexing any recorded instrument in excess	
44	of 10 parties, per each name in excess	
45	of 10 . . . . .	\$ 0.30

1 For recording tax sale certificate, lien, deed,  
2 or related instrument by a municipality . . . . . \$ 3.00  
3 (cf: P.L.1985, c.422, s.5.)

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5 7. This act shall take effect immediately.

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10 Adopts the Uniform Federal Lien Registration Act.