

46:15-13

LEGISLATIVE HISTORY CHECKLIST

(Deed--preparer - require signature to be affixed to document)

NJSA 46:15-13

LAWS 1981 CHAPTER 228

Bill No. S673

Sponsor(s) A. Russo

Date Introduced Pre-filed

Committee: Assembly Judiciary, Law, Public Safety and Defense
Senate Judiciary

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks. Substituted for A3243 (bill, amendments, adopted 5-4-81, Assembly committee statement & 2nd OCR attached)

Date of Passage: Assembly June 11, 1981
Senate Jan. 26, 1981

Date of approval July 27, 1981

Following statements are attached if available:

Sponsor statement	<u>Yes</u>	No (Below)
Committee Statement: <u>Assembly</u>	<u>Yes</u>	No
<u>Senate</u>	<u>Yes</u>	No
Fiscal Note	<u>Yes</u>	No
Veto Message	<u>Yes</u>	No
Message on signing	<u>Yes</u>	No

Following were printed:

Reports	<u>Yes</u>	No
Hearings	<u>Yes</u>	No

Sponsor's statement:

Instruments entitled to record must contain the words "prepared by" followed by the name of the person who prepared or drafted the instrument. This bill requires that person, in addition, to affix his signature.

6/22/81

7-27-81

[OFFICIAL COPY REPRINT]
SENATE, No. 673

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1980 SESSION

By Senator A. RUSSO

AN ACT to amend "An act concerning the recording of deeds and other instruments and supplementing chapter 15 of Title 46 of the Revised Statutes," approved February 21, 1969 (P. L. 1968, c. 458).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 1 of P. L. 1968, c. 458 (C. 46:15-13) is amended to read
2 as follows:

3 1. No deed or instrument of the nature or description set forth
4 in section 46:16-1 of the Revised Statutes shall be recorded in the
5 office of any county recording officer unless it shall contain the
6 words "prepared by" followed by the name *and signature* of the
7 person who prepared or drafted the instrument **or another member*
8 *of his firm or association**. Such words and the name *and signature*
9 of the person who prepared or drafted the instrument **or member*
10 *of his firm or association** shall be entered on the instrument backer
11 or following the acknowledgment or the proof and certification of
12 the execution thereof.

1 2. This act shall take effect immediately.

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO

SENATE, No. 673

with Assembly committee amendment

STATE OF NEW JERSEY

DATED: APRIL 27, 1981

This bill, as amended by the Assembly Judiciary, Law, Public Safety and Defense Committee, adds the language contained in Assembly Bill No. 3243, also released by the committee. That bill requires that the name of the preparer appear on the first page of the deed.

The bill was also amended to permit another member of the preparer's firm or association to sign his name to the instrument.

As a result of these amendments, this bill and Assembly Bill No. 3243 were released as identical bills.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 673

STATE OF NEW JERSEY

DATED: OCTOBER 20, 1980

Instruments entitled to record must contain the words "prepared by" followed by the name of the person who prepared or drafted the instrument. This bill requires that person, in addition, to affix his signature.

The bill is directed at instances of lay persons preparing deeds and then merely affixing a lawyer's name to the deed. It is hoped that by also requiring a signature that this practice could be curbed.

ASSEMBLY, No. 3243

STATE OF NEW JERSEY

INTRODUCED MARCH 26, 1981

By Assemblymen KERN, EDWARDS, DOWD, HERMAN,
BATE and THOMPSON

Referred to Committee on Judiciary, Law, Public Safety
and Defense

AN ACT to amend "An act concerning the recording of deeds and other instruments and supplementing chapter 15 of Title 46 of the Revised Statutes," approved February 21, 1969 (P. L. 1968, c. 458).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 1 of P. L. 1968, c. 458 (C. 46:15-13) is amended to
2 read as follows:

3 1. No deed or instrument of the nature or description set forth
4 in section 46:16-1 of the Revised Statutes shall be recorded in the
5 office of any county recording officer unless it shall contain the
6 words "prepared by" followed by the name of the person who
7 prepared or drafted the instrument. Such words and the name of
8 the person who prepared or drafted the instrument shall be entered
9 *on the first page of the instrument, and either on the instrument*
10 *backer or following the acknowledgment or the proof and certifi-*
11 *cation of the execution thereof.*

1 2. This act shall take effect 60 days following its enactment.

STATEMENT

The purpose of this bill is to require the name of the attorney who drafted the deed to appear on the first page of the deed. This would enable municipalities to more easily contact the attorney if there is an error in the deed.

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 3243

STATE OF NEW JERSEY

INTRODUCED MARCH 26, 1981

By Assemblymen KERN, EDWARDS, DOWD, HERMAN,
BATE and THOMPSON

Referred to Committee on Judiciary, Law, Public Safety
and Defense

AN ACT to amend "An act concerning the recording of deeds and other instruments and supplementing chapter 15 of Title 46 of the Revised Statutes," approved February 21, 1969 (P. L. 1968, c. 458).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 1 of P. L. 1968, c. 458 (C. 46:15-13) is amended to
2 read as follows:

3 1. No deed or instrument of the nature or description set forth
4 in section 46:16-1 of the Revised Statutes shall be recorded in the
5 office of any county recording officer unless it shall contain the
6 words "prepared by" followed by the name **and signature** of
7 the person who prepared or drafted the instrument **or another*
8 *member of his firm or association**. Such words and the name **and*
9 *signature** of the person who prepared or drafted the instrument
10 **or member of his firm or association** shall be entered *on the first*
11 *page of the instrument, and either* on the instrument backer or
12 following the acknowledgment or the proof and certification of the
13 execution thereof.

1 2. This act shall take effect ****[60 days following its enact-**
2 **ment]**** ***immediately***.

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

ASSEMBLY AMENDMENT TO
ASSEMBLY, No. 3243

[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED MAY 4, 1981

Amend page 1, section 2, line 1, omit "60 days following its enactment", insert "immediately".

STATEMENT

This amendment would provide that the act take effect immediately rather than 60 days after its enactment as previously provided. This would be the same as Senate No. 673 released by the Assembly Judiciary, Law, Public Safety and Defense Committee as an identical bill.

**ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY
AND DEFENSE COMMITTEE**

STATEMENT TO

ASSEMBLY, No. 3243

with Assembly committee amendment

STATE OF NEW JERSEY

DATED: APRIL 27, 1981

This bill, as amended by the Assembly Judiciary, Law, Public Safety and Defense Committee, adds the language contained in Senate Bill No. 673, also released by the committee. That bill requires that the signature of the preparer be entered.

The bill was also amended to permit another member of the preparer's firm or association to sign his name to the instrument. As a result of these amendments, this bill and Senate Bill No. 673 were released as identical bills.