



SPONSOR: Rep. Gilligan & Rep. Schwartzkopf & Rep. Longhurst &  
Rep. Cathcart & Rep. D. Short & Sen. DeLuca & Sen.  
Cook & Sen. Blevins & Sen. Simpson & Sen. Sorenson

HOUSE OF REPRESENTATIVES  
145th GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1

FOR

HOUSE BILL NO. 262

AN ACT TO AMEND TITLE 9 AND TITLE 29 OF THE DELAWARE CODE RELATING TO GOVERNMENT  
RECORDS MANAGEMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fifths of all members  
elected to each house thereof concurring therein):

1           Section 1. Amend §9607, Title 9 of the Delaware Code by striking the words "Local Government Records  
2   Management Improvement" in the section label and wherever they may appear and substituting in lieu thereof the words  
3   "Delaware Cultural Access", by striking the figure "\$1" wherever it may appear and substituting in lieu thereof "\$25", by  
4   striking the figure "75%" and substituting in lieu thereof "99%", and by striking the figure "25%" and substituting in lieu  
5   thereof "1%".

6           Section 2. Amend §525, Title 29 of the Delaware Code by striking the words "Local Government Records  
7   Management Improvement" in the section label and "Delaware Local Government Records Management Improvement" in  
8   subsection (a) and substituting in lieu thereof the words "Delaware Cultural Access".

9           Section 3. Strike §525 (b), Title 29 of the Delaware Code in its entirety and replace it with the following: "These  
10   funds shall be used to promote, preserve and protect the state's cultural assets and shall be used to fund services provided  
11   through the Delaware Public Archives, Division of Libraries, Division of the Arts, and Division of Historical and Cultural  
12   Affairs."

13          Section 4. Amend §525 (c), Title 29 of the Delaware Code by deleting the words "Delaware Public Archives" and  
14   substituting in lieu thereof the words "Secretary of State".

15          Section 5. This Act shall take effect on August 1, 2009.

### SYNOPSIS

This Act increases the current State surcharge on each document or paper recorded or filed with the county recorders from \$6 to \$30. Additional proceeds of \$24 per recordation or filing will supplement the Government Records Management Improvement Fund, which is renamed by this Act as the Delaware Cultural Access Fund. Fund fees retained by the State will be used to promote, preserve and protect Delaware's cultural assets. Fees for the Government Records Management Improvement Fund have not been increased since 1991.