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RECORDING REQUIREMENTS

House Bill 5858

Sponsor: Rep. Beverly Hammerstrom

Committee: Local Government

Complete to 9-3-96

A SUMMARY OF HOUSE BILL 5858 AS INTRODUCED 5-8-96

The bill would amend the Revised Judicature Act to make a number of revisions to requirements regarding the filing of documents for recording with the county register of deeds, including an increase in fees. The bill contains the following provisions.

-- It would require a document of one or more pages to have a margin of unprinted space at least one inch at the top and one-half inch on all remaining sides; have a statement identifying the type of document it is on the first line of print; be electronically, mechanically, or hand printed in ten-point type or its equivalent; be legibly printed in black ink on white paper; maintain a two-inch by four-inch blank space on the upper right corner of the first or only page; and contain no attachment that is less than eight-and-one-half inches wide and eleven inches long.

-- A document that failed to meet the requirements above would be subject to twice the normal recording fee for such a document.

-- The recording fee for entering or recording a deed, mortgage, certified copy of an attachment, notice of the pendency of a suit, or other instrument would be increased to \$10 for the first page and \$3 for the second page (from \$5 for the first page and \$2 for the second page). If a document assigned or discharged more than one instrument, \$3 would be added to the page price for each additional instrument for a single party and "a fee equal to the amount charged for the recording of a single-page document would be charged for each instrument assigned or discharged for a person other than that single party." (The term "single party" refers to one or more persons with a single or joint interest in real estate.) Currently, \$1 is added to the page price for each additional instrument. Other fees in this section would remain unchanged.

-- The county board of commissioners would be required to allocate \$3 of the total recording fee collected for upgrading technology in the county clerk's office.

MCL 600.2567

Analyst: C. Couch

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.