



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 4942 (as passed by the House)
Sponsor: Representative Tracey Yokich
House Committee: Judiciary and Civil Rights
Senate Committee: Judiciary

Date Completed: 4-15-96

CONTENT

The bill would amend the Revised Judicature Act (RJA) to increase certain fees that a county sheriff is authorized to charge for various actions performed, and add one of those fees to the amount owed when a mortgagor redeems premises that have been foreclosed upon and sold.

The fees for posting notices on property for foreclosure sales, and for serving notice of a person claiming title under a tax deed, in person and by mail, would be increased from \$10 to \$14. Those fees would be increased to \$15 on October 1, 1996, and to \$16 on October 1, 1997. The bill would retain a sheriff's authorization to charge mileage in addition to those fees. The bill also would raise from \$10 to \$50 the allowable fee for selling lands on the foreclosure of a mortgage by advertisement, executing a deed to the purchaser, and for all services required on the sale.

In addition, the RJA provides for a mortgagor's redemption of premises that have been foreclosed upon and sold if, within applicable time limits, the mortgagor or his or her heirs, executors, or administrators pay to the purchaser, or to the register of deeds to be deposited for the purchaser's benefit, the amount bid for the property, with interest, and an additional \$3 fee for the care and custody of the redemption, if payment is made to the register of deeds. The bill would add to the required redemption payment the sheriff's fee for selling lands on the foreclosure, executing a deed, and services required on the sale.

MCL 600.2558 & 600.3240

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State government, but it would mean additional funds for county sheriffs' departments. The new revenue would be used to offset the increased costs to sheriffs' departments for holding foreclosure sales as well as processing claims.

Fiscal Analyst: M. Bain

S9596\S4942SA

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.