



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 5858 (Substitute H-3 as passed by the House)

Sponsor: Representative Beverly Hammerstrom

House Committee: Local Government

Senate Committee: Local, Urban and State Affairs

Date Completed: 11-12-96

CONTENT

The bill would amend Public Act 103 of 1937, which prescribes conditions for the execution of instruments to be recorded in the register of deeds office, to establish requirements for documents or instruments being filed after the bill's effective date with a county register of deeds. The bill would take effect April 1, 1997.

An instrument written after the bill's effective date would have to be written in words and phrases of common everyday meaning, appropriately divided and captioned, except that the instrument could contain a legal description of the property conveyed. A register of deeds could not record an instrument executed after April 1, 1997, if it purported to evidence more than one recordable event. If an instrument were executed after April 1, 1997, each sheet of the instrument would have to comply with the following requirements:

- Have a margin of unprinted space that was at least two-and-one-half inches at the top of the first page and at least one-half inch on all remaining sides of each page.
- Display on the first line of print on the first page of the instrument a single statement identifying the recordable event that the instrument evidenced.
- Be electronically, mechanically, or hand printed in 10-point type or the equivalent of 10-point type.
- Be legibly printed in black ink on white paper that was at least 20-pound weight.
- Be at least eight-and-one-half inches wide and 11 inches long or not more than eight-and-one-half inches wide and 14 inches long.
- Contain no attachment that was less than eight-and-one-half inches wide and 11 inches long or more than eight-and-one-half inches wide and 14 inches long.

The bill's requirements, as well as current requirements, would not apply to instruments executed outside of the State or to the filing or recording of a plat or other instrument, the size of which was regulated by law.

MCL 565.201

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: R. Ross

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