

SENATE BILL No. 1432

June 27, 2008, Introduced by Senator GEORGE and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9947) by adding section 2567b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2567B. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION
2 (4), THE COUNTY REGISTER OF DEEDS SHALL COLLECT A \$1.00 FEE UNDER
3 THIS SECTION FOR RECORDING ANY INSTRUMENT. THE FEE SHALL BE PAID
4 WHEN THE INSTRUMENT IS LEFT FOR RECORD.

5 (2) THE FEE REQUIRED BY THIS SECTION IS IN ADDITION TO ANY
6 FEES REQUIRED IN SECTION 2567 OR 2567A OR FEES OR CHARGES OTHERWISE
7 REQUIRED BY LAW FOR THE RECORDING OF INSTRUMENTS.

8 (3) THE FEES COLLECTED UNDER THIS SECTION SHALL BE REMITTED TO
9 THE STATE TREASURER QUARTERLY, AND SHALL BE DEPOSITED BY THE STATE
10 TREASURER IN THE MICHIGAN HISTORIC PRESERVATION FUND CREATED IN

1 SUBSECTION (5) .

2 (4) THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:

3 (A) AN AGENCY OF THE STATE WHEN FILING OR RECORDING ANY
4 INSTRUMENT WITH THE COUNTY REGISTER OF DEEDS UNDER THE STATE TAX
5 LIEN REGISTRATION ACT, 1968 PA 203, MCL 211.681 TO 211.687.

6 (B) AN INDIVIDUAL OR ANY PUBLIC OR PRIVATE LEGAL ENTITY WHEN
7 RECORDING A LIEN OR DISCHARGE OF A LIEN WITH THE COUNTY REGISTER OF
8 DEEDS UNDER SECTION 15 OF THE MICHIGAN EMPLOYMENT SECURITY ACT,
9 1936 (EX SESS) PA 1, MCL 421.15.

10 (C) AN AGENCY OF THE FEDERAL GOVERNMENT WHEN FILING OR
11 RECORDING ANY INSTRUMENT WITH THE COUNTY REGISTER OF DEEDS UNDER
12 THE UNIFORM FEDERAL LIEN REGISTRATION ACT, 1983 PA 102, MCL 211.661
13 TO 211.668.

14 (D) AN INDIVIDUAL OR ANY PUBLIC OR PRIVATE LEGAL ENTITY WHEN
15 RECORDING ANY INSTRUMENT WITH THE COUNTY REGISTER OF DEEDS UNDER
16 THE UNIFORM COMMERCIAL CODE, 1962 PA 174, MCL 440.1101 TO
17 440.11102.

18 (E) A FORECLOSING GOVERNMENTAL UNIT WHEN RECORDING ANY
19 INSTRUMENT REQUIRED UNDER SECTIONS 78 TO 780 OF THE GENERAL
20 PROPERTY TAX ACT, 1893 PA 206, MCL 211.78 TO 211.780.

21 (5) THE MICHIGAN HISTORIC PRESERVATION FUND IS CREATED WITHIN
22 THE STATE TREASURY. THE STATE TREASURER MAY RECEIVE MONEY OR OTHER
23 ASSETS FROM ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE
24 TREASURER SHALL DIRECT THE INVESTMENT OF THE FUND. THE STATE
25 TREASURER SHALL CREDIT TO THE FUND INTEREST AND EARNINGS FROM FUND
26 INVESTMENTS. MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR
27 SHALL REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

1 THE DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES SHALL BE THE
2 ADMINISTRATOR OF THE FUND FOR AUDITING PURPOSES. THE MICHIGAN
3 HISTORICAL CENTER SHALL EXPEND MONEY FROM THE FUND, UPON
4 APPROPRIATION, ONLY FOR HISTORIC PRESERVATION PROGRAMS IN THIS
5 STATE.

6 (6) AS USED IN THIS SECTION, "MICHIGAN HISTORICAL CENTER"
7 MEANS THE STATE HISTORIC PRESERVATION OFFICE OF THE MICHIGAN
8 HISTORICAL CENTER OF THE DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES
9 OR ITS SUCCESSOR AGENCY.