

E-SIGNATURES ACCEPTED ON DOCUMENTS RECORDED WITH COUNTY REGISTERS OF DEEDS

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Senate Bill 62 (passed by the Senate as S-2)
Sponsor: Sen. Curtis Hertel, Jr.
House Committee: Local Government
Senate Committee: Local Government
Complete to 6-16-15

SUMMARY:

Senate Bill 62 (S-2) would amend Public Act 103 of 1937 to clarify how certain filing requirements for county registers of deeds would apply to documents having electronic signatures. The bill would also provide that a certified copy of a death certificate is the same as an original.

The bill would take effect 90 days after its enactment. A more detailed summary follows.

Now under the law, a document (called an "instrument" in the statute) that conveys, assigns, encumbers, or otherwise disposes of the title to or any interest in real estate may not be received for recording by a county register of deeds unless that document complies with these specific requirements:

- the name of each person executing the document is legibly printed, typewritten, or stamped beneath the person's original signature;
- the name of any notary public whose signature appears on the document is legibly printed, typewritten, or stamped beneath the notary's signature; and
- the address of each of the grantees in each deed of conveyance or assignment of real estate is legibly printed, typewritten, or stamped on the document.

The requirements listed above do not apply to a document on which the signature, itself, is printed, typewritten, or stamped.

Senate Bill 62 (S-2) would retain all of these requirements, and extend them so that they also applied to a document on which the signature was electronically affixed.

Further, the law now specifies that it does not apply to certain documents, including a death certificate. Senate Bill 62 (S-2) would retain this provision, and extend it so that it also applied to a certified copy of a death certificate (as described in Section 333.2886 of the Public Health Code, which specifies that certified copies of vital records are considered the same as the originals).

MCL 565.203

FISCAL IMPACT:

The bill would not have a fiscal impact on state and local governments.

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