



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5164 (Substitute H-1 as reported without amendment)
House Bill 5165 (Substitute H-1 as reported without amendment)
Sponsor: Representative Lee Chatfield
House Committee: Local Government
Senate Committee: Banking and Financial Institutions

CONTENT

House Bill 5164 (H-1) would amend the Land Division Act to require a proprietor to deposit with a final plat a filing and recording fee equal to the fee required for recording a real estate mortgage under Section 2567 of the Revised Judicature Act.

House Bill 5165 (H-1) would amend Public Act 107 of 1895, which provides for recording certified copies of judgments in the offices of registers of deeds, to specify that a register of deeds would be entitled to the same fee for recording a certified copy of a judgment as the fee for recording a real estate mortgage under Section 2567 of the Revised Judicature Act.

The bills are tie-barred to Senate Bill 599, and each would take effect October 1, 2016. (Senate Bill 599 (H-2) would amend Section 2567 of the Revised Judicature Act to require a \$30 fee for entering and recording a document, including a real estate mortgage.)

MCL 560.241 (H.B. 5164)
565.412 (H.B. 5165)

Legislative Analyst: Jeff Mann

FISCAL IMPACT

House Bill 5164 (H-1) would increase local revenue from fees received for filing a final plat. Currently, the fee for filing a final plat is \$20. Under the bill, the fee would be the same as the fee charged for recording a mortgage under the Revised Judicature Act. Senate Bill 599 (H-2), which would amend the Revised Judicature Act and is tie-barred to House Bill 5164, would change the fee for recording a mortgage from \$8 for the first page and \$3 for each additional page to a flat fee of \$30. The increased revenue from the fee for filing a final plat would support the costs of county register of deeds.

House Bill 5165 (H-1) would change local revenue for recording a land transfer determined by a court judgment. Currently, the fee for recording that type of land transfer is the same as for other conveyances, which is based on the number of the pages filed. The bill specifies that the fee would be the same as for recording a mortgage, which would be changed to a flat fee of \$30 under Senate 599 (H-2), to which the House bill is tie-barred. The change in revenue would vary by county based on the length of documents filed.

Date Completed: 6-1-16

Fiscal Analyst: Elizabeth Pratt