

HOUSE BILL NO. 4732

April 29, 2021, Introduced by Reps. Marino, Manoogian and Cherry and referred to the Committee on Commerce and Tourism.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 2567 (MCL 600.2567), as amended by 2016 PA 224.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2567. (1) Except as provided in subsection (3), a
2 register of deeds is entitled to the following fees, which are not
3 taxable as costs except as indicated:

4 (a) For entering and recording a document, regardless of the
5 number of pages, \$30.00, which includes the fee required to be

collected under section 2567a. In addition to remitting a portion of the fee to satisfy section 2567a, the register of deeds shall deposit \$5.00 of the total fee collected for each recording into the automation fund established under section 2568.

(b) For a document that assigns or discharges more than 1 instrument, in addition to the fee under subdivision (a), \$3.00 for each additional instrument assigned or discharged.

(c) For copies of any records ~~or papers, in paper format~~, if required, \$1.00 per page, taxable as costs if otherwise allowed.

For copies of any records in electronic format, if required, the actual cost of purchasing and sending the recording medium. As used in this subdivision, "recording medium" means any device or medium used for recording or storing data, including, but not limited to, a disc, diskette, tape, or other electronic medium.

(d) To certify a recorded document, \$5.00.

(e) For searching the records and files, on request, by the office of the register of deeds, 50 cents for each year for which grantor/grantee searches are made, with a minimum fee of \$5.00, except that the fee for tract index searches must be based on the cost of establishing and maintaining a tract index.

(f) For filing every other paper, and making an entry of it, if necessary, \$1.00, unless otherwise specifically provided for.

(g) For searching for every other paper, on request, by the office of the register of deeds, \$1.00 for each paper examined.

(2) A fee under subsection (1)(a) or (b) must be paid when the document is left for recording, unless 1 of the following applies:

(a) If the document is a document as that term is defined in section 2 of the uniform real property electronic recording act, 2010 PA 123, MCL 565.842, the register of deeds accepts electronic

1 documents for recording, and the fee is paid electronically, the
2 fee must be paid within 1 business day after receipt of the
3 electronic document by the register of deeds.

4 (b) If the document is a document left for recording by a
5 governmental entity pursuant to an agreement between the
6 governmental entity and the register of deeds that includes a
7 payment schedule for the fee, the fee must be paid ~~pursuant to~~ **in**
8 **accordance with** the payment schedule.

9 (c) If the document is a forfeiture certificate or a
10 redemption certificate for tax delinquent property under section
11 78g of the general property tax act, 1893 PA 206, MCL 211.78g, the
12 fee must be paid within 30 days after redemption of the tax
13 delinquent property or by an alternative date under an agreement
14 between the register of deeds and the foreclosing governmental
15 unit.

16 (d) If the document is a notice of judgment of foreclosure
17 under section 78k of the general property tax act, 1893 PA 206, MCL
18 211.78k, or a deed under section 78m of the general property tax
19 act, 1893 PA 206, MCL 211.78m, for tax foreclosed property, the fee
20 must be paid within 30 days after the sale or transfer of the
21 property or by an alternative date under an agreement between the
22 register of deeds and the foreclosing governmental unit.

23 (3) A charter county may impose a fee schedule by ordinance or
24 resolution with different amounts than the amounts prescribed by
25 subsection (1). A charter county shall not impose a fee that is
26 greater than the cost of the service for which the fee is charged.

27 (4) Subject to subsection (6), in addition to the recording
28 fee under subsection (1), when a register of deeds accepts a
29 discharge of lien under section 15 of the Michigan employment

1 security act, 1936 (Ex Sess) PA 1, MCL 421.15, to be recorded, the
2 register of deeds shall collect an amount equal to the fee paid for
3 recording the discharged lien as stated on the notice of lien
4 recording fee provided under section 15 of the Michigan employment
5 security act, 1936 (Ex Sess) PA 1, MCL 421.15. The register of
6 deeds shall transmit to the unemployment agency the additional
7 amounts collected under this subsection and any information
8 requested by the unemployment agency that is contained in the
9 notice of lien recording fee. A register of deeds shall transmit
10 the money and information on the following schedule:

11 (a) If the register of deeds serves a county with a population
12 of less than 750,000, on a quarterly basis.

13 (b) If the register of deeds serves a county with a population
14 of 750,000 or more, on a monthly basis.

15 (5) Unless the discharge of lien is submitted to be recorded
16 by the unemployment agency, a register of deeds shall not accept a
17 discharge of lien under section 15 of the Michigan employment
18 security act, 1936 (Ex Sess) PA 1, MCL 421.15, for recording that
19 is not accompanied by a notice of lien recording fee provided under
20 section 15 of the Michigan employment security act, 1936 (Ex Sess)
21 PA 1, MCL 421.15.

22 (6) A register of deeds shall not charge an additional amount
23 under subsection (4) if the discharge of lien is submitted for
24 recording by the unemployment agency.

25 (7) As used in this section, "page" means 1 side of a single
26 sheet of paper at least 8-1/2 inches by 11 inches in length and not
27 exceeding 8-1/2 inches by 14 inches in length and not less than 20-
28 pound weight.

29 Enacting section 1. This amendatory act does not take effect

1 unless all of the following bills of the 101st Legislature are
2 enacted into law:

3 (a) Senate Bill No. _____ or House Bill No. 4729 (request no.
4 01330'21).

5 (b) Senate Bill No. _____ or House Bill No. 4730 (request no.
6 01331'21).

7 (c) Senate Bill No. _____ or House Bill No. 4731 (request no.
8 01443'21).