

SENATE BILL NO. 1133

June 30, 2022, Introduced by Senator SCHMIDT and referred to the Committee on Economic and Small Business Development.

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2567a (MCL 600.2567a), as amended by 2006 PA 662.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 2567a. (1) Except as otherwise provided in subsection
2 (4), the county register of deeds shall collect a fee for recording
3 any instrument. Before January 1, ~~2023,~~**2043**, the fee ~~shall be~~**is**
4 \$4.00. Beginning January 1, ~~2023,~~**2043**, the fee ~~shall be~~**is** \$2.00.
5 The fee ~~shall~~**must** be paid when the instrument is left for record.
6 (2) The fee required by this section is in addition to any

1 fees required in section 2567 or fees or charges otherwise required
2 by law for the recording of instruments.

3 (3) The fees collected under this section ~~shall~~**must** be
4 remitted to the state treasurer quarterly, and ~~shall~~**must** be
5 deposited by the state treasurer in the survey and remonumentation
6 fund created in section 11 of the state survey and remonumentation
7 act, 1990 PA 345, MCL 54.271, except that a county may retain not
8 more than 1-1/2% of each fee collected under subsection (1) to
9 cover the costs of administering this section.

10 (4) If, pursuant to a contract under section 8(5) of the state
11 survey and remonumentation act, 1990 PA 345, MCL 54.268, a county
12 has expended funds to expedite the completion of its county plan,
13 the county may apply not more than 50% of its annual grant revenue
14 under section 12(1)(a) of the state survey and remonumentation act,
15 1990 PA 345, MCL 54.272, to reimburse itself for these
16 expenditures, until these expenditures have been fully reimbursed.

17 (5) This section does not apply to any of the following:

18 (a) An agency of ~~the~~**this** state when filing or recording any
19 instrument with the county register of deeds under the state tax
20 lien registration act, 1968 PA 203, MCL 211.681 to 211.687.

21 (b) An individual or any public or private legal entity when
22 recording a lien or discharge of a lien with the county register of
23 deeds under section 15 of the Michigan employment security act,
24 1936 (Ex Sess) PA 1, MCL 421.15.

25 (c) An agency of the federal government when filing or
26 recording any instrument with the county register of deeds under
27 the uniform federal lien registration act, 1983 PA 102, MCL 211.661
28 to 211.668.

29 (d) An individual or any public or private legal entity when

1 recording any instrument with the county register of deeds under
2 the uniform commercial code, 1962 PA 174, MCL 440.1101 to
3 ~~440.11102-440.9994~~.

4 (e) A foreclosing governmental unit when recording any
5 instrument required under sections 78 to 78o of the general
6 property tax act, 1893 PA 206, MCL 211.78 to 211.78o.

7 (6) As used in this section, "county plan" means a
8 monumentation and remonumentation plan under section 8 of the state
9 survey and remonumentation act, 1990 PA 345, MCL 54.268.