

SUBSTITUTE FOR
SENATE BILL NO. 332

A bill to amend 1915 PA 123, entitled

"An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits,"

(MCL 565.451a to 565.453) by adding section 1d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1D. (1) AN AFFIDAVIT TO CORRECT THE FOLLOWING TYPES OF
2 ERRORS OR OMISSIONS IN PREVIOUSLY RECORDED DOCUMENTS MAY BE
3 RECORDED IN THE OFFICE OF REGISTER OF DEEDS FOR THE COUNTY WHERE
4 THE REAL PROPERTY THAT IS THE SUBJECT OF THE AFFIDAVIT IS LOCATED:

5 (A) ERRORS AND OMISSIONS RELATING TO THE PROPER PLACE OF
6 RECORDING.

7 (B) SCRIVENER'S ERRORS AND SCRIVENER'S OMISSIONS.

8 (2) ALL OF THE FOLLOWING APPLY TO AN AFFIDAVIT DESCRIBED IN

1 THIS SECTION:

2 (A) THE AFFIDAVIT SHALL BE MADE BY A PERSON HAVING KNOWLEDGE
3 OF THE RELEVANT FACTS OR BY A PERSON COMPETENT TO TESTIFY
4 CONCERNING THOSE FACTS IN OPEN COURT AND SHALL MEET THE
5 REQUIREMENTS OF SECTIONS 1B AND 1C.

6 (B) THE AFFIDAVIT IS NOT NECESSARY IF A NEW DOCUMENT
7 INDICATING CORRECTIVE CHANGES AND MAKING REFERENCE TO THE ERRANT
8 RECORDING BY LIBER AND PAGE NUMBER OR OTHER UNIQUE IDENTIFYING
9 NUMBER IS RECORDED.

10 (C) THE AFFIDAVIT SHALL NOT ALTER THE SUBSTANTIVE RIGHTS OF
11 ANY PARTY UNLESS IT IS EXECUTED BY THAT PARTY.

12 (3) THE COUNTY REGISTER OF DEEDS SHALL INDEX ALL NAMES RECITED
13 WITHIN AN AFFIDAVIT RECORDED UNDER THIS SECTION.