

SUBSTITUTE FOR
SENATE BILL NO. 599

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 2567 (MCL 600.2567), as amended by 2004 PA 538.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2567. (1) Except as provided in subsection ~~(3)~~, **(4)**, 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 ~~deed, mortgage, certified~~
5 ~~copy of an attachment, notice of the pendency of a suit, or other~~
6 ~~instrument, \$8.00 for the first page and \$3.00 for each additional~~
7 ~~and succeeding page. The fee shall be paid when the deed, mortgage,~~
8 ~~certified copy of an attachment, notice of the pendency of a suit,~~
9 ~~or other instrument is left for record. The~~ **DOCUMENT, REGARDLESS OF**
10 **THE NUMBER OF PAGES, \$30.00, WHICH INCLUDES THE FEE REQUIRED TO BE**
11 **COLLECTED UNDER SECTION 2567A. IN ADDITION TO REMITTING A PORTION**

1 **OF THE FEE TO SATISFY SECTION 2567A, THE** register of deeds shall
 2 deposit \$5.00 of the total fee collected for each recording into
 3 the automation fund ~~if a fund has been established~~ under section
 4 2568.

5 **(B)** For ~~any A~~ document that assigns or discharges more than 1
 6 instrument, ~~\$3.00 shall be added to the recording fee~~ **IN ADDITION**
 7 **TO THE FEE UNDER SUBDIVISION (A), \$3.00** for each additional
 8 instrument assigned or discharged.

9 **(C)** ~~(b)~~ For copies of any records or papers, if required,
 10 \$1.00 per page, taxable as costs if otherwise allowed.

11 **(D)** ~~(c) For a seal to exemplification, \$1.00.~~ **TO CERTIFY A**
 12 **RECORDED DOCUMENT, \$5.00.**

13 **(E)** ~~(d)~~ For searching the records and files, on request, by
 14 the office of the register of deeds, 50 cents for each year for
 15 which grantor/grantee searches are made, with a minimum fee of
 16 \$5.00, except that the fee for tract index searches ~~shall~~ **MUST** be
 17 based ~~upon~~ **ON** the cost of establishing and maintaining a tract
 18 index.

19 **(F)** ~~(e)~~ For filing every other paper, and making an entry of
 20 it, if necessary, \$1.00, unless otherwise specifically provided
 21 for.

22 **(G)** ~~(f)~~ For searching for every other paper, on request, by
 23 the office of the register of deeds, \$1.00 for each paper examined.

24 ~~—— (2) In addition to any other fees prescribed in subsection (1)~~
 25 ~~or (3), a register of deeds shall collect a fee of \$2.00 for~~
 26 ~~entering and recording a deed, mortgage, certified copy of an~~
 27 ~~attachment, notice of the pendency of a suit, or other instrument.~~

~~The fee shall be paid when the deed, mortgage, certified copy of an attachment, notice of the pendency of a suit, or other instrument is left for record.~~

(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 DOCUMENTS FOR RECORDING, AND THE FEE IS PAID ELECTRONICALLY, THE FEE MUST BE PAID WITHIN 1 BUSINESS DAY AFTER RECEIPT OF THE ELECTRONIC DOCUMENT BY THE REGISTER OF DEEDS.

(B) IF THE DOCUMENT IS A DOCUMENT FILED BY A GOVERNMENTAL ENTITY PURSUANT TO AN AGREEMENT BETWEEN THE GOVERNMENTAL ENTITY AND THE REGISTER OF DEEDS THAT INCLUDES A PAYMENT SCHEDULE FOR THE FEE, THE FEE MUST BE PAID PURSUANT TO THE PAYMENT SCHEDULE.

(C) IF THE DOCUMENT IS A FORFEITURE CERTIFICATE OR A REDEMPTION CERTIFICATE FOR TAX DELINQUENT PROPERTY UNDER SECTION 78G OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.78G, THE FEE MUST BE PAID WITHIN 30 DAYS AFTER REDEMPTION OF THE TAX DELINQUENT PROPERTY OR BY AN ALTERNATIVE DATE UNDER AN AGREEMENT BETWEEN THE REGISTER OF DEEDS AND THE FORECLOSING GOVERNMENTAL UNIT.

(D) IF THE DOCUMENT IS A NOTICE OF JUDGMENT OF FORECLOSURE UNDER SECTION 78K OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.78K, OR A DEED UNDER SECTION 78M OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.78M, FOR TAX FORECLOSED PROPERTY, THE FEE MUST BE PAID WITHIN 30 DAYS AFTER THE SALE OR TRANSFER OF THE

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1 PROPERTY OR BY AN ALTERNATIVE DATE UNDER AN AGREEMENT BETWEEN THE
2 REGISTER OF DEEDS AND THE FORECLOSING GOVERNMENTAL UNIT.

3 (3) BY APRIL 1 OF THE FIFTH YEAR AFTER THE YEAR IN WHICH THE
4 AMENDATORY ACT THAT ADDED THIS SENTENCE TAKES EFFECT, AND BY APRIL
5 1 OF EACH SUCCESSIVE FIFTH YEAR, THE STATE TREASURER SHALL ADJUST
6 THE RECORDING FEES IN SUBSECTION <<(1) >> OR, FOR
7 SUCCESSIVE ADJUSTMENTS, THE FEES AS PREVIOUSLY ADJUSTED, BY AMOUNTS
8 DETERMINED BY THE STATE TREASURER TO REFLECT THE CUMULATIVE
9 PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX FOR THE PRECEDING 5
10 CALENDAR YEARS OR 5%, WHICHEVER IS LESS, ROUNDED UP<<, FOR THE FEES
11 UNDER SUBSECTION (1) (A) AND (B), TO THE NEAREST \$1.00 OR, FOR THE
12 FEES UNDER SUBSECTION (1) (C) TO (G), TO THE NEAREST 25 CENTS>> AN
13 ADJUSTED RECORDING FEE APPLIES TO DOCUMENTS RECORDED
14 AFTER THAT APRIL 1 UNTIL APRIL 1 OF THE NEXT ADJUSTMENT. AS USED IN
15 THIS SUBSECTION, "CONSUMER PRICE INDEX" MEANS THE MOST
16 COMPREHENSIVE INDEX OF CONSUMER PRICES AVAILABLE FOR THIS STATE
17 FROM THE BUREAU OF LABOR STATISTICS OF THE UNITED STATES DEPARTMENT
18 OF LABOR.

19 (4) ~~(3)~~—A charter county may impose a fee schedule by
20 ordinance or resolution with different amounts than the amounts
21 prescribed by subsection (1). A charter county shall not impose a
22 fee that is greater than the cost of the service for which the fee
23 is charged.

24 (5) ~~(4)~~—As used in this section, "page" means 1 side of a
25 single sheet of paper at least 8-1/2 inches by 11 inches in length
26 and not exceeding 8-1/2 inches by 14 inches in length and not less
27 than 20-pound weight.

Enacting section 1. This amendatory act takes effect 90 days
after the date it is enacted into law.

1 Enacting section 2. This amendatory act does not take effect
2 unless all of the following bills of the 98th Legislature are
3 enacted into law:

4 (a) Senate Bill No. 600.

5 (b) Senate Bill No. 601.

6 (c) Senate Bill No. 602.

7 (d) Senate Bill No. 603.

8 (e) Senate Bill No. 604.