

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.248b Making, altering, forging, or counterfeiting document affecting interest in real property; intent; felony; penalty; exception; venue; court order.

Sec. 248b. (1) A person who falsely makes, alters, forges, or counterfeits a deed, a discharge of mortgage, or a power or letter of attorney or other document that affects an interest in real property with intent to injure or defraud another person is guilty of a felony punishable by imprisonment for not more than 14 years.

(2) This section does not apply to a scrivener's error.

(3) The venue in a prosecution under this section may be in the county in which the forgery was performed; in a county in which the false, altered, forged, or counterfeit document is uttered and published with intent to injure or defraud; or in the county in which the rightful property owner resides.

(4) In proceedings that result in a conviction under this section or for any lesser included offense, the circuit court shall enter an order stating that the false, altered, forged, or counterfeit document is invalid and require that a certified copy of the court order with the invalid document, if not previously recorded, be attached and recorded in the office of the register of deeds of the county where the subject property or part of the property is located, as provided in section 2935 of the revised judicature act of 1961, 1961 PA 236, MCL 600.2935. If the invalid document has previously been recorded, the prosecutor shall provide the circuit court with the liber and page number or unique identifying reference number of the invalid document, which shall be included in the order. The register of deeds shall make reference to the liber and page number or unique identifying reference number of the invalid document in the index of the recorded documents. Any recording fees incurred under this subsection shall be paid as ordered by the court.

History: Add. 2011, Act 206, Eff. Jan. 1, 2012.