

HOUSE BILL No. 4441

March 5, 1997, Introduced by Rep. Hammerstrom and referred to the Committee on Local Government.

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2567 (MCL 600.2567), as amended by 1990 PA 346, and by adding section 2567b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2567. (1) A register of deeds is entitled to the fol-
2 lowing fees, which are not taxable as costs except as indicated:
3 (a) For entering and recording a deed, mortgage, certified
4 copy of an attachment, notice of the pendency of a suit, or other
5 instrument, ~~-\$5.00-~~ \$10.00 for the first page and ~~-\$2.00-~~ \$3.00
6 for each additional and succeeding page. ~~-If a document assigns~~
7 ~~or discharges more than 1 instrument, \$1.00 shall be added to the~~
8 ~~page price for each additional instrument assigned or~~
9 ~~discharged.~~ The fee shall be paid when the deed, mortgage,
10 certified copy of an attachment, notice of the pendency of a

1 suit, or other instrument is left for record. THE REGISTER OF
2 DEEDS SHALL DEPOSIT \$3.00 OF THE TOTAL FEE COLLECTED FOR A
3 RECORDING INTO THE REGISTER OF DEEDS AUTOMATION FUND ESTABLISHED
4 UNDER SECTION 2567B. A SINGLE DOCUMENT SUBMITTED TO A REGISTER
5 OF DEEDS FOR RECORDING SHALL NOT ASSIGN OR DISCHARGE MORE THAN 1
6 INSTRUMENT.

7 (b) For copies OR REPRODUCTIONS of any records or papers, if
8 required, \$1.00 per page OR REPRODUCED IMAGE, taxable as costs if
9 otherwise allowed.

10 (c) For a seal to exemplification, \$1.00.

11 (d) For searching the records and files in the office of the
12 register of deeds, ~~10~~ EITHER OF THE FOLLOWING:

13 (i) FIFTY cents for each year for which GRANTOR/GRANTEE
14 searches are made, with a minimum fee of ~~-\$1.00~~ \$5.00.

15 (ii) UPON RECOMMENDATION OF THE COUNTY REGISTER OF DEEDS, AN
16 AMOUNT AUTHORIZED BY THE COUNTY BOARD OF COMMISSIONERS FOR TRACT
17 INDEX SEARCHES.

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

21 ~~(f) For searching for every other paper, on request, 10~~
22 ~~cents for each paper examined.~~

23 (2) ~~In addition to any other fees prescribed in subsection~~
24 ~~(1) or (5), a register of deeds shall collect a fee of \$2.00 for~~
25 ~~entering and recording a deed, mortgage, certified copy of an~~
26 ~~attachment, notice of the pendency of a suit, or other~~
27 ~~instrument. The fee shall be paid when the deed, mortgage,~~

1 ~~certified copy of an attachment, notice of the pendency of a~~
2 ~~suit, or other instrument is left for record.~~ AS USED IN THIS
3 SECTION, "PAGE" MEANS 1 SIDE OF A SINGLE WHITE SHEET OF PAPER NOT
4 LESS THAN 8-1/2 INCHES WIDE AND 11 INCHES LONG OR MORE THAN 8-1/2
5 INCHES WIDE AND 14 INCHES LONG, AND OF NOT LESS THAN 20-POUND
6 WEIGHT.

7 ~~(3) For purposes of this section, "page" means 1 side of a~~
8 ~~single sheet of paper not exceeding 8-1/2 inches in width and 14~~
9 ~~inches in length and not less than 13 (17 x 22--500) pound weight~~
10 ~~on which the printed or typed words are legible and not smaller~~
11 ~~than 8-point type.~~

12 ~~(4) The county board of commissioners may reduce or elimi-~~
13 ~~nate the fees specified in subsection (1)(b), (d), or (f).~~

14 ~~(5) A charter county may impose a fee schedule by ordinance~~
15 ~~with different amounts than the amounts prescribed by~~
16 ~~subsection (1). A charter county shall not impose a fee that is~~
17 ~~greater than the cost of the service for which the fee is~~
18 ~~charged.~~

19 SEC. 2567B. (1) EACH COUNTY OF THIS STATE SHALL ESTABLISH A
20 REGISTER OF DEEDS AUTOMATION FUND, AND THAT FUND SHALL RECEIVE
21 MONEY DEPOSITED BY THE REGISTER OF DEEDS OF THE COUNTY IN ACCORD-
22 ANCE WITH SECTION 2567. THE COUNTY TREASURER SHALL DIRECT
23 INVESTMENT OF THE FUND AND SHALL CREDIT TO THE FUND INTEREST AND
24 EARNINGS FROM FUND INVESTMENTS.

25 (2) THE COUNTY REGISTER OF DEEDS OF EACH COUNTY MAY EXPEND
26 THE FEES CREDITED TO THE FUND UNDER SECTION 2567 WITHOUT AN
27 APPROPRIATION UNDER THE UNIFORM BUDGETING AND ACCOUNTING ACT,

1 1968 PA 2, MCL 141.421 TO 141.440A, FOR UPGRADING TECHNOLOGY IN
2 THE REGISTER OF DEEDS OFFICE.

3 (3) MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL
4 REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE COUNTY'S GENERAL
5 FUND.