

SENATE BILL No. 1031

March 2, 2004, Introduced by Senators BIRKHOLZ, GOSCHKA, PATTERSON, BARCIA, McMANUS, BISHOP, GEORGE, ALLEN, TOY and HARDIMAN and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1875 PA 54, entitled

"An act to facilitate the inspection and reproduction of the records and files in the offices of the registers of deeds,"

by amending section 1 (MCL 565.551), as amended by 1994 PA 51.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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1 Sec. 1. (1) A register of deeds shall furnish proper and
 2 reasonable facilities for the inspection and examination of the
 3 records and files in his or her office, and for making
 4 memorandums or transcripts from the records and files during the
 5 usual business hours, to an individual having a lawful purpose to
 6 examine the records and files. ~~However, the~~ **The** custodian of
 7 the records and files may make reasonable rules and regulations
 8 with reference to the inspection and examination of the records
 9 and files as is necessary to protect the records and files and to
 10 prevent interference with the regular discharge of the duties of
 11 the register of deeds.

1 (2) If an individual requests a reproduction of a record or
2 file of a register of deeds, the register of deeds shall ~~do 1 of~~
3 ~~the following, at the register of deeds' option: (a) Reproduce~~
4 ~~the record or file for the individual pursuant to the records~~
5 ~~media act, Act No. 116 of the Public Acts of 1992, being~~
6 ~~sections 24.401 to 24.403 of the Michigan Compiled Laws, using a~~
7 ~~medium selected by the register of deeds.~~ **reproduce the record**
8 **or file using the medium specified in the individual's request**
9 **provided that the register of deeds maintains the record or file**
10 **in that medium.** Unless a different fee is provided for by law,
11 the fee for a reproduction under this subdivision other than a
12 paper copy shall not exceed the reasonable costs to the register
13 of deeds.

14 (3) Upon the written consent of the individual making a
15 request under this act, the register of deeds may authorize the
16 record or file to be reproduced by 1 of the following means:

17 (a) ~~(b) Provide~~ **The register of deeds providing the**
18 equipment for the individual to reproduce the record or file.
19 ~~pursuant to Act No. 116 of the Public Acts of 1992, using a~~
20 ~~medium selected by the register of deeds.~~ Unless a different fee
21 is provided for by law, the fee for a reproduction under this
22 subdivision other than a paper copy shall not exceed the
23 reasonable costs to the register of deeds.

24 (b) ~~(e)~~ Authorize the individual to reproduce the record or
25 file on the premises **of the register of deeds** using equipment
26 provided by that individual. ~~This subdivision does not apply~~
27 ~~unless the individual requests authorization to reproduce the~~

1 ~~record or file using equipment provided by that individual.~~

2 (4) ~~—(3)—~~ A register of deeds may prohibit the reproduction
3 of an instrument temporarily left with the register of deeds to
4 be recorded in the register of deeds' office.