

HOUSE BILL No. 4860

September 10, 2015, Introduced by Rep. Kelly and referred to the Committee on Local Government.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 2568 (MCL 600.2568), as added by 2002 PA 698.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2568. (1) Each county in this state shall establish an
2 automation fund, and that fund shall receive money deposited by the
3 register of deeds of the county ~~in accordance with section 2567.~~ **AS**
4 **PROVIDED BY LAW.** The county treasurer shall direct investment of
5 the fund and shall credit to the fund interest and earnings from
6 fund investments. **IN A COUNTY WITH A POPULATION OF 100,000 OR MORE,**
7 **THE BALANCE IN THE COUNTY AUTOMATION FUND SHALL NOT EXCEED**
8 **\$50,000.00, AND ON OR BEFORE THE END OF EACH COUNTY FISCAL YEAR,**
9 **ANY AMOUNT IN THE COUNTY AUTOMATION FUND IN EXCESS OF \$50,000.00**

1 SHALL BE DEPOSITED IN THE COUNTY GENERAL FUND TO BE USED FOR
2 UPGRADING TECHNOLOGY IN THE COUNTY AS DETERMINED BY THE COUNTY
3 BOARD OF COMMISSIONERS. IN A COUNTY WITH A POPULATION OF LESS THAN
4 100,000, THE BALANCE IN THE COUNTY AUTOMATION FUND SHALL NOT EXCEED
5 \$20,000.00, AND ON OR BEFORE THE END OF EACH COUNTY FISCAL YEAR,
6 ANY AMOUNT IN THE COUNTY AUTOMATION FUND IN EXCESS OF \$20,000.00
7 SHALL BE DEPOSITED IN THE COUNTY GENERAL FUND TO BE USED FOR
8 UPGRADING TECHNOLOGY IN THE COUNTY AS DETERMINED BY THE COUNTY
9 BOARD OF COMMISSIONERS.

10 (2) The county register of deeds of each county shall expend
11 the fees credited to the **AUTOMATION** fund ~~under section 2567~~ subject
12 to an appropriation under the uniform budgeting and accounting act,
13 1968 PA 2, MCL 141.421 to 141.440a, for upgrading technology in the
14 register of deeds office, with priority given to upgrading search
15 capabilities. Upgrading includes the design and purchase of
16 equipment and supplies, and implementation of systems and
17 procedures that allow the register of deeds to receive, enter,
18 record, certify, index, store, search, retrieve, copy, and
19 otherwise process by automated procedures and advanced technology
20 documents, instruments, abstracts, maps, plats, and other items
21 recorded and maintained by the register of deeds.

22 (3) Not later than ~~90 days after the effective date of the~~
23 ~~amendatory act that added this subsection,~~ **JUNE 29, 2003**, each
24 register of deeds shall begin to implement procedures to process
25 and make available all items recorded, compiled, or maintained by
26 that register of deeds, using the automated procedures and advanced
27 technology described in subsection (2) to the maximum extent

1 feasible utilizing the **AUTOMATION** fund created under subsection
2 (1).

3 ~~—— (4) Four years after the effective date of the amendatory act
4 that added this section, the register of deeds of each county shall
5 prepare a report to the legislature that addresses, but is not
6 limited to, each of the following issues:~~

7 ~~—— (a) The progress that has been made by the register of deeds
8 since the effective date of the amendatory act that added this
9 section in achieving a goal of timely processing of recordable
10 instruments.~~

11 ~~—— (b) The extent to which the register of deeds has made records
12 in the register's possession computer accessible by way of internet
13 websites or other on line media.~~

14 ~~—— (5) The reports required under subsection (4) may be compiled
15 into a single report by an agent of the county registers of deeds
16 before it is submitted to the legislature.~~

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