

Act No. 224
Public Acts of 2016
Approved by the Governor
June 22, 2016
Filed with the Secretary of State
June 23, 2016
EFFECTIVE DATE: October 1, 2016

**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016**

Introduced by Senators MacGregor, Zorn, Hertel and Booher

ENROLLED SENATE BILL No. 599

AN ACT to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 2567 (MCL 600.2567), as amended by 2004 PA 538.

The People of the State of Michigan enact:

Sec. 2567. (1) Except as provided in subsection (3), a register of deeds is entitled to the following fees, which are not taxable as costs except as indicated:

(a) For entering and recording a document, regardless of the number of pages, \$30.00, which includes the fee required to be collected under section 2567a. In addition to remitting a portion of the fee to satisfy section 2567a, the register of deeds shall deposit \$5.00 of the total fee collected for each recording into the automation fund established under section 2568.

(b) For a document that assigns or discharges more than 1 instrument, in addition to the fee under subdivision (a), \$3.00 for each additional instrument assigned or discharged.

(c) For copies of any records or papers, if required, \$1.00 per page, taxable as costs if otherwise allowed.

(d) To certify a recorded document, \$5.00.

(e) For searching the records and files, on request, by the office of the register of deeds, 50 cents for each year for which grantor/grantee searches are made, with a minimum fee of \$5.00, except that the fee for tract index searches must be based on the cost of establishing and maintaining a tract index.

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

(g) For searching for every other paper, on request, by the office of the register of deeds, \$1.00 for each paper examined.

(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 left for recording 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 property or by an alternative date under an agreement between the register of deeds and the foreclosing governmental unit.

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

(4) Subject to subsection (6), in addition to the recording fee under subsection (1), when a register of deeds accepts a discharge of lien under section 15 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.15, to be recorded, the register of deeds shall collect an amount equal to the fee paid for recording the discharged lien as stated on the notice of lien recording fee provided under section 15 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.15. The register of deeds shall transmit to the unemployment agency the additional amounts collected under this subsection and any information requested by the unemployment agency that is contained in the notice of lien recording fee. A register of deeds shall transmit the money and information on the following schedule:

(a) If the register of deeds serves a county with a population of less than 750,000, on a quarterly basis.

(b) If the register of deeds serves a county with a population of 750,000 or more, on a monthly basis.

(5) Unless the discharge of lien is submitted to be recorded by the unemployment agency, a register of deeds shall not accept a discharge of lien under section 15 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.15, for recording that is not accompanied by a notice of lien recording fee provided under section 15 of the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.15.

(6) A register of deeds shall not charge an additional amount under subsection (4) if the discharge of lien is submitted for recording by the unemployment agency.

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

Enacting section 1. This amendatory act takes effect October 1, 2016.

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

(a) Senate Bill No. 600.

(b) Senate Bill No. 601.

(c) Senate Bill No. 602.

(d) Senate Bill No. 603.

(e) Senate Bill No. 604.

(f) Senate Bill No. 737.

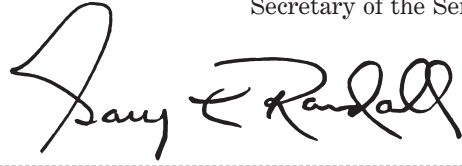
(g) House Bill No. 5164.

(h) House Bill No. 5165.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor