

SENATE BILL No. 599

November 4, 2015, Introduced by Senators MACGREGOR, ZORN, HERTEL and BOOHER and referred to the Committee on Banking and Financial Institutions.

A bill to amend 1961 PA 236, entitled
 "Revised judicature act of 1961,"
 by amending section 2567 (MCL 600.2567), as amended by 2004 PA 538.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2567. (1) Except as provided in subsection ~~(3)~~, ~~(4)~~, a
 2 register of deeds is entitled to the following fees, which are not
 3 taxable as costs except as indicated:

4 (a) For entering and recording a deed, mortgage, certified
 5 copy of an attachment, notice of the pendency of a suit, or other
 6 instrument, ~~\$8.00 for the first page and \$3.00 for each additional~~
 7 and succeeding page. The fee shall be paid when the deed, mortgage,
 8 certified copy of an attachment, notice of the pendency of a suit,
 9 or other instrument is left for record. **THE DOCUMENT, REGARDLESS OF**
 10 **THE NUMBER OF PAGES, \$35.00, WHICH INCLUDES THE FEE REQUIRED TO BE**

1 COLLECTED UNDER SECTION 2567A. IN ADDITION TO REMITTING A PORTION
 2 OF THE FEE TO SATISFY SECTION 2567A, THE register of deeds shall
 3 deposit \$5.00 of the total fee collected for each recording into
 4 the automation fund ~~if a fund has been established under section~~
 5 2568.

6 (B) For ~~any~~ **A** document that assigns or discharges more than \pm
 7 ~~instrument, \$3.00 shall be added to the recording fee~~ **5**
 8 **INSTRUMENTS, IN ADDITION TO THE FEE UNDER SUBDIVISION (A), \$5.00**
 9 for each ~~additional~~ instrument assigned or discharged **IN EXCESS OF**
 10 **5.**

11 (C) ~~(b)~~ For copies of any records or papers, if required,
 12 \$1.00 per page, taxable as costs if otherwise allowed.

13 (D) ~~(c) For a seal to exemplification, \$1.00.~~ **TO CERTIFY A**
 14 **RECORDED DOCUMENT, \$5.00.**

15 (E) ~~(d)~~ For searching the records and files, on request, by
 16 the office of the register of deeds, 50 cents for each year for
 17 which grantor/grantee searches are made, with a minimum fee of
 18 \$5.00, except that the fee for tract index searches shall ~~shall~~ **MUST** be
 19 based ~~upon~~ **ON** the cost of establishing and maintaining a tract
 20 index.

21 (F) ~~(e)~~ For filing every other paper, and making an entry of
 22 it, if necessary, \$1.00, unless otherwise specifically provided
 23 for.

24 (G) ~~(f)~~ For searching for every other paper, on request, by
 25 the office of the register of deeds, \$1.00 for each paper examined.

26 ~~— (2) In addition to any other fees prescribed in subsection (1)~~
 27 ~~or (3), a register of deeds shall collect a fee of \$2.00 for~~

1 ~~entering and recording a deed, mortgage, certified copy of an~~
2 ~~attachment, notice of the pendency of a suit, or other instrument.~~
3 ~~The fee shall be paid when the deed, mortgage, certified copy of an~~
4 ~~attachment, notice of the pendency of a suit, or other instrument~~
5 ~~is left for record.~~

6 (2) A FEE UNDER SUBSECTION (1) (A) OR (B) MUST BE PAID WHEN THE
7 DOCUMENT IS LEFT FOR RECORDING.

8 (3) BY APRIL 1 OF THE TENTH YEAR AFTER THE YEAR IN WHICH THE
9 AMENDATORY ACT THAT ADDED THIS SENTENCE TAKES EFFECT, AND BY APRIL
10 1 OF EACH SUCCESSIVE TENTH YEAR, THE STATE TREASURER SHALL ADJUST
11 THE RECORDING FEE IN SUBSECTION (1) (A) OR, FOR SUCCESSIVE
12 ADJUSTMENTS, THE FEE AS PREVIOUSLY ADJUSTED, BY AN AMOUNT
13 DETERMINED BY THE STATE TREASURER TO REFLECT THE CUMULATIVE
14 PERCENTAGE CHANGE IN THE CONSUMER PRICE INDEX FOR THE PRECEDING 10
15 CALENDAR YEARS, ROUNDED UP TO THE NEAREST \$5.00. AN ADJUSTED
16 RECORDING FEE APPLIES TO DOCUMENTS RECORDED AFTER THAT APRIL 1
17 UNTIL APRIL 1 OF THE NEXT ADJUSTMENT. AS USED IN THIS SUBSECTION,
18 "CONSUMER PRICE INDEX" MEANS THE MOST COMPREHENSIVE INDEX OF
19 CONSUMER PRICES AVAILABLE FOR THIS STATE FROM THE BUREAU OF LABOR
20 STATISTICS OF THE UNITED STATES DEPARTMENT OF LABOR.

21 (4) ~~(3)~~—A charter county may impose a fee schedule by
22 ordinance or resolution with different amounts than the amounts
23 prescribed by subsection (1). A charter county shall not impose a
24 fee that is greater than the cost of the service for which the fee
25 is charged.

26 (5) ~~(4)~~—As used in this section, "page" means 1 side of a
27 single sheet of paper at least 8-1/2 inches by 11 inches in length

1 and not exceeding 8-1/2 inches by 14 inches in length and not less
2 than 20-pound weight.

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