

# SENATE BILL No. 1299

September 20, 2012, Introduced by Senator MEEKHOF and referred to the Committee on Local Government and Elections.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending section 2567a (MCL 600.2567a), as amended by 2006 PA  
662.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 2567a. (1) Except as otherwise provided in subsection  
2 ~~(4)~~, ~~(5)~~, the county register of deeds shall collect a fee for  
3 recording any instrument. Before January 1, 2023, the fee shall be  
4 \$4.00. Beginning January 1, 2023, the fee shall be \$2.00. The fee  
5 shall be paid when the instrument is left for record.

6           (2) The fee required by ~~this section~~ **SUBSECTION (1)** is in  
7 addition to any fees required in section 2567 or fees or charges  
8 otherwise required by law for the recording of instruments.

9           (3) The fees collected under ~~this section~~ **SUBSECTION (1)** shall

1 be remitted to the state treasurer quarterly ~~and~~ shall be  
2 deposited by the state treasurer in the survey and remonumentation  
3 fund created in section 11 of the state survey and remonumentation  
4 act, 1990 PA 345, MCL 54.271. ~~except that a~~ **HOWEVER, BOTH OF THE**  
5 **FOLLOWING APPLY:**

6 (A) A county may retain not more than 1-1/2% of each fee  
7 collected under subsection (1) to cover the costs of administering  
8 this section.

9 (B) **IF AT ANY TIME AFTER THE EFFECTIVE DATE OF THE 2012 ACT**  
10 **THAT ADDED THIS SUBDIVISION A COUNTY HAS A BALANCE OF UNREIMBURSED**  
11 **EXPENDITURES UNDER SECTION 8(5) OF THE STATE SURVEY AND**  
12 **REMONUMENTATION ACT, 1990 PA 345, MCL 54.268, TO EXPEDITE**  
13 **COMPLETION OF A PLAN, OF MORE THAN \$1,500,000.00, THE COUNTY OR**  
14 **COUNTIES MAY RETAIN THE ENTIRE AMOUNT OF FEES COLLECTED UNDER**  
15 **SUBSECTION (1). THE COUNTY OR COUNTIES MAY CONTINUE TO RETAIN FEES**  
16 **UNDER THIS SUBDIVISION UNTIL THE BALANCE OF UNREIMBURSED EXPEDITED**  
17 **EXPENDITURES UNDER SECTION 8(5) OF THE STATE SURVEY AND**  
18 **REMONUMENTATION ACT, 1990 PA 345, MCL 54.268, IS ZERO. THE RETAINED**  
19 **FEES SHALL BE USED TO PAY FOR IMPLEMENTATION OF THE PERPETUAL**  
20 **MONUMENT MAINTENANCE PLAN DESCRIBED IN SECTION 8(2)(D) OF THE STATE**  
21 **SURVEY AND REMONUMENTATION ACT, 1990 PA 345, MCL 54.268, IN AMOUNTS**  
22 **APPROVED BY THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS AND**  
23 **AS REIMBURSEMENT FOR UNREIMBURSED EXPEDITED EXPENDITURES UNDER**  
24 **SECTION 8(5) OF THE STATE SURVEY AND REMONUMENTATION ACT, 1990 PA**  
25 **345, MCL 54.268.**

26 (4) If, pursuant to a contract under section 8(5) of the state  
27 survey and remonumentation act, 1990 PA 345, MCL 54.268, a county

1 has expended funds to expedite the completion of its county plan,  
2 the county may apply not more than 50% of its annual grant revenue  
3 under section 12(1)(a) of the state survey and remonumentation act,  
4 1990 PA 345, MCL 54.272, to reimburse itself for these  
5 expenditures, until these expenditures have been fully reimbursed.

6 (5) This section does not apply to any of the following:

7 (a) An agency of the state when filing or recording any  
8 instrument with the county register of deeds under the state tax  
9 lien registration act, 1968 PA 203, MCL 211.681 to 211.687.

10 (b) An individual or any public or private legal entity when  
11 recording a lien or discharge of a lien with the county register of  
12 deeds under section 15 of the Michigan employment security act,  
13 1936 (Ex Sess) PA 1, MCL 421.15.

14 (c) An agency of the federal government when filing or  
15 recording any instrument with the county register of deeds under  
16 the uniform federal lien registration act, 1983 PA 102, MCL 211.661  
17 to 211.668.

18 (d) An individual or any public or private legal entity when  
19 recording any instrument with the county register of deeds under  
20 the uniform commercial code, 1962 PA 174, MCL 440.1101 to  
21 440.11102.

22 (e) A foreclosing governmental unit when recording any  
23 instrument required under sections 78 to 78o of the general  
24 property tax act, 1893 PA 206, MCL 211.78 to 211.78o.

25 (6) As used in this section, "county plan" means a  
26 monumentation and remonumentation plan under section 8 of the state  
27 survey and remonumentation act, 1990 PA 345, MCL 54.268.

1           Enacting section 1. This amendatory act does not take effect  
2 unless Senate Bill No. 1300  
3                   of the 96th Legislature is enacted into law.