



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 298 (Substitute S-1 as reported)
Senate Bill 299 (Substitute S-1 as reported)
Senate Bill 300 (Substitute S-1 as reported)
Senate Bill 301 (Substitute S-1 as reported)
Senate Bill 302 (Substitute S-1 as reported)
Senate Bill 303 (Substitute S-1 as reported)
Sponsor: Senator Mark C. Jansen (S.B. 298 & 302)
 Senator Gerald Van Woerkom (S.B. 299)
 Senator Tony Stamas (S.B. 300)
 Senator John Pappageorge (S.B. 301)
 Senator Patricia L. Birkholz (S.B. 303)
Committee: Local, Urban and State Affairs

CONTENT

The bills would amend various statutes to do the following:

- Permit a register of deeds to remove or obscure a Social Security number (SSN) in a document relating to title of land before providing a copy of it.
- Permit an individual to request that a register of deeds remove or obscure a portion of his or her SSN from an instrument.
- Make the removal or obscuring of a portion of an SSN in an instrument disposing of title to real estate, a condition of receiving an instrument for record.
- Prohibit a register of deeds from receiving an instrument or reproduction for recording unless the first five digits of any SSN in it were obscured or removed.
- Permit a register of deeds to remove or obscure, or require an individual to remove or obscure, all or part of an SSN in the reproduction of a record before the individual could take the copy.

The provisions in each of the bills would not apply if State or Federal law, rule, regulation, or court order or rule required all or more than four sequential digits of an SSN to appear in a document.

Senate Bill 298 (S-1) would amend Public Act 25 of 1836, which authorizes the board of supervisors of a county that is attached to another county for judicial purposes, to direct its register of deeds to record in books a complete copy of all deeds, mortgages, powers of attorney, or other instruments relating to the title of land in the county and on record in the county to which it is attached.

Under the bill, if a register of deeds provided a person with a copy of an instrument from a book of records that contained an SSN, the register of deeds could obscure or remove the first five digits of the number from the copy before providing it. An individual whose SSN was contained in one or more instruments in a county's books of record could request that the register of deeds obscure or remove the first five digits of the number from copies made of those instruments by recording an affidavit identifying their liber and page.

The bill also specifies that, as used in the Act, "books" would include a computerized recording system for instruments relating to the title of land.

Senate Bill 299 (S-1) would amend Public Act 103 of 1937, which prescribes conditions for the execution of instruments to be recorded in the register of deeds office. The conditions apply to an instrument by which title to or any interest in real estate is conveyed, assigned, encumbered, or otherwise disposed of. Under the bill, these conditions would include a requirement that all or more than four digits of any SSN appearing in or on the instrument be obscured or removed.

Senate Bill 300 (S-1) would amend Public Act 20 of 1867, which requires a register of deeds to record on the books in his or her office all deeds, mortgages, maps, instruments, or writings authorized by law to be recorded, and left with the register of deeds for that purpose, upon payment of the proper fee. Under the bill, a register of deeds could not receive an instrument or reproduction of an instrument unless the first five digits of any SSN appearing in or on the instrument or reproduction were obscured or removed.

Senate Bill 301 (S-1) would amend Public Act 5 of 1873, which authorizes a register of deeds to receive and record a copy of a final court judgment that relates to the title of real estate. Under the bill, a register of deeds could not receive a judgment for recording unless the first five digits of any SSN appearing in or on the judgment were obscured or removed.

Senate Bill 302 (S-1) would amend Public Act 123 of 1915, which requires a register of deeds to receive and record affidavits affecting the title of real property. Under the bill, a register of deeds could not receive an affidavit for recording unless the first five digits of any SSN appearing in or on it were obscured or removed.

Senate Bill 303 (S-1) would amend Public Act 54 of 1875, which requires a register of deeds to furnish facilities for the inspection and examination of the records or files in his or her office, and for making memorandums or transcripts from the records and files, to an individual having a lawful purpose to examine them. Under the bill, if a record or file containing an SSN were reproduced for or by such an individual, the register of deeds could obscure or remove, or require the individual to obscure or remove, the first five digits of the SSN from the reproduction before he or she removed the reproduction from the office of the register of deeds. An individual whose SSN was contained in one or more instruments in a county's books of record could request that the register of deeds obscure or remove the first five digits of the number from copies made of those instruments by recording an affidavit identifying their liber and page.

MCL 565.581 (S.B. 298)
565.201 (S.B. 299)
565.491 (S.B. 300)
565.401 (S.B. 301)
565.452 (S.B. 302)
565.551 (S.B. 303)

Legislative Analyst: Craig Laurie

FISCAL IMPACT

The bills would have no fiscal impact on State revenue or expenditure, or any impact on local unit revenue. The bill could increase expenditures for some local units by an unknown amount, depending on the costs of adapting systems to the changes, the number of individuals requesting identifying information to be obscured or removed, as well as the number of local units that would opt to make the changes regardless of individual requests.

Date Completed: 5-4-07

Fiscal Analyst: David Zin

floor\sb298

Analysis available @ <http://www.michiganlegislature.org>

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.