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Senate Bill 927 (Substitute S-2 as reported)  
Senate Bill 1160 (Substitute S-1 as reported)  
Sponsor: Senator Tupac A. Hunter (S.B. 927)  
Senator Mark C. Jansen (S.B. 1160)  
Committee: Local, Urban and State Affairs

### **CONTENT**

Senate Bill 927 (S-2) would amend Chapter 65 of the Revised Statutes of 1846, which provides for the recording of conveyances, to do the following:

- Delete requirements that a register of deeds keep various entry books; and delete provisions regarding the effect of entry in those books.
- Require a register to note specific information when an instrument was delivered for recording; and provide for noting information on instruments delivered in bulk.
- Require an instrument delivered to a register to be accessible for public review.
- Allow a register to charge a fee for a search of an original instrument or a name search.
- Provide for civil immunity for employees of a register conducting or deciding whether to conduct a search.
- Require a register to post a "general index date" and maintain a record of the calendar date and the general index date recorded on that calendar date.
- Specify that a register's assignment of a liber and page or other unique identifying number would be prima facie evidence that an instrument had satisfied all recording requirements.
- Specify that an instrument would be deemed recorded at the time of delivery if it were later determined to have satisfied all recording requirements.

Senate Bill 1160 (S-1) would amend Chapter 65 to:

- Rewrite requirements for a general index of instruments recorded, specifying information that a general index would have to contain, which would include the liber and page or other unique identifying number.
- Require a register of deeds to note a reference to the liber and page, or other unique identifying number, where an instrument was recorded.
- Require a recorded discharge of mortgage to refer to the liber and page, or other unique identifying number.

The bill also would repeal a section requiring each register of deeds to provide different sets of books for recording deeds and mortgages.

The bills are tie-barred to each other

MCL 565.24 et al. (S.B. 927)  
565.27 et al. (S.B. 1160)

Legislative Analyst: Suzanne Lowe

## **FISCAL IMPACT**

The bills would have no fiscal impact on State revenue or expenditures or any impact on local unit revenue. The bills could increase expenditures for some local units by an unknown amount, depending on the costs of adapting systems to the changes, whether a register already records the information mandated by the bills, and whether changes resulting from the bills would change the number of searches performed.

Date Completed: 9-26-08

Fiscal Analyst: David Zin

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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.