

2013 DRAFTING REQUEST

Bill

Received: 12/3/2012 Received By: emueller
Wanted: As time permits Same as LRB:
For: Administration-Budget By/Representing: Bong
May Contact: Drafter: emueller
Subject: Local Gov't - counties Addl. Drafters:
State Govt - miscellaneous Extra Copies: MES, JK

Submit via email: YES
Requester's email:
Carbon copy (CC) to:

Pre Topic:

DOA:.....Bong, BB0282 -

Topic:

Register of deeds fees and the land information program

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	emueller 12/21/2012			_____			
/P1	emueller 1/17/2013	scalvin 12/27/2012	jmurphy 12/27/2012	_____	srose 12/27/2012		State S&L
/P2		scalvin 1/17/2013	jmurphy 1/17/2013	_____	sbasford 1/17/2013		State S&L

FE Sent For:

<END>

2013 DRAFTING REQUEST

Bill

Received: 12/3/2012 Received By: emueller
Wanted: As time permits Companion to LRB:
For: Administration-Budget By/Representing: Bong
May Contact: Drafter: emueller
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/?	emueller 12/21/2012			_____			
/P1		scalvin 12/27/2012	12/27/2012	_____	rose 12/27/2012		State S&L
/P2	EVM 1/17/13	P2 sac 01/17/2013	Jan 17/13				

FE Sent For:

<END>

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Register of deeds fees and the land information program

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/? emueller

/PI EMM
12/21/12

/PI SMC
12/27/12

Jm
12/27

Self

FE Sent For:

<END>

Kuesel, Jeffery

From: Bong, Sasha E - DOA <SashaE.Bong@wisconsin.gov>
Sent: Monday, December 03, 2012 2:31 PM
To: Kuesel, Jeffery
Subject: RE: Statutory Language Drafting Request - BB0282
Attachments: DOA - SSN Redaction Fee White Paper.pdf

Yes—I apologize that the attachment didn't come through with the request. It is attached to this email.

From: Kuesel, Jeffery [<mailto:Jeffery.Kuesel@legis.wisconsin.gov>]
Sent: Monday, December 03, 2012 2:29 PM
To: Bong, Sasha E - DOA
Subject: FW: Statutory Language Drafting Request - BB0282

Sasha,

The request below says "Please see the attached document" but there is no attachment. Was there something more specific we need to have in order to reflect your intent?

Jeffery T. Kuesel
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 266-6778
Jeffery.Kuesel@legis.wisconsin.gov

From: Hanaman, Cathlene
Sent: Monday, December 03, 2012 1:27 PM
To: Kuesel, Jeffery
Subject: FW: Statutory Language Drafting Request - BB0282

You?

From: SashaE.Bong@wisconsin.gov [<mailto:SashaE.Bong@wisconsin.gov>]
Sent: Monday, December 03, 2012 1:06 PM
To: Hanaman, Cathlene
Cc: Kraus, Jennifer - DOA; Bong, Sasha E - DOA; Thornton, Scott - DOA
Subject: Statutory Language Drafting Request - BB0282

Biennial Budget: 2013-15

DOA Tracking Code: BB0282

Topic: SSN Redaction Fee

SBO Team: GGCF

SBO Analyst: Bong, Sasha - DOA
Phone: (608) 266-5468
E-mail: SashaE.Bong@wisconsin.gov

Agency Acronym: DOA

Agency Number: 505

Priority: Medium

Intent:

Reallocate the \$5 social security redaction fee currently collected under s. 59.43(2)(L) to DOA beginning January 1, 2015. Require unrestricted sharing of county land information for Land Information Program participants.

Please see attached document.

Attachments: False

Please send completed drafts to statlanguage@wisapps.wi.gov

WISCONSIN DEPARTMENT OF ADMINISTRATION
2013-15 Biennial Budget Development
DRAFT Concept Paper: Reallocate Fee to Land Information (GIS)

1. Issue

Reallocate \$5 social security redaction fee to achieve statewide GIS (Geographic Information Systems) objectives.

This reallocation and investment is needed to protect and grow Wisconsin's \$487 billion in real estate assets and enhance the state's economic competitiveness. While the state has invested \$169 million into county land information (GIS) systems, it has yet to reap greater return on these investments by stitching together county map layers into statewide maps. Important statewide map layers yet to be accurately completed and maintained include digital parcel, address points (E-911), digital elevation maps (LiDAR), municipal boundaries, land use, recreational trails, public hunting grounds, and school districts.

Measures needed to complete statewide layers:

- Strategic further investment in county land information (GIS) systems. Although the state has invested much in county GIS, the investments have been unequal. For instance, Menominee County has received 3% of what Milwaukee County has received. Because county land areas are not as disparate, land information programs have lagged far behind in some counties and targeted investment is needed to bring some counties up to speed.
- Funding mechanism to create statewide map layers.
- Removal of county data-sharing restrictions.

2. Costs in 2013-14

The fiscal impact would be neutral. Fee-payers would continue to pay the same \$30 rate to register a real estate deed at the county register of deeds office before and after 2015. The \$5 portion dedicated to redaction of social security numbers would be reallocated to invest in statewide land information (GIS) priorities.

3. Reallocation Opportunities

Instead of sunsetting the \$5 social security number redaction fee as scheduled in 2015 (amounting to about \$5 mil in annual program revenue), it could be used to address local and statewide GIS priorities, foremost a statewide parcel map, but also other map layers, such as aerial imagery and LiDAR (elevation). The Wisconsin Geographic Information Coordinating Council (WIGICC) could advise the DOA in making investments in county and state GIS systems. The creation of each statewide map layer would be based on a thorough business planning process.

4. Long-Term Costs

The long-term costs would be neutral if the \$5 social security number redaction fee were to be reallocated to develop statewide map GIS layers. Once established, maintenance costs for most layers would be small.

5. Positions

No positions.

6. Statutory Language

Change statutory language to reallocate the \$5 portion of the real estate deed fee for statewide GIS priorities. The fee-payer (the person registering a real estate deed) would continue to pay the same \$30 rate. In addition, because county data-sharing restrictions have been an obstacle to the development of statewide map layers and wider use of map layers created with public funds, the free and unrestricted sharing of map data must become a requirement for participation in the Wisconsin Land Information Program.

Reallocate the \$5 SSN redaction fee to be sunset Jan. 1, 2015 according to s. 59.43(2)(L), by changing s. 59.43(2)(ag)(1).

Subject to s. 59.72 (5) and except as provided in par. (L), for recording any instrument entitled to be recorded in the office of the register of deeds, \$25 \$30 beginning Jan. 1, 2015, except that no fee may be collected for recording a change of address that is exempt from a filing fee under s. 185.83 (1) (b) or 193.111 (1) (b).

Make the same above change in 59.34(2)(e).

Subject to s. 59.72 (5) and except as provided in par. (L), for filing any instrument which is entitled to be filed in the office of register of deeds and for which no other specific fee is specified, \$25 \$30 beginning Jan. 1, 2015.

Direct the \$5 to DOA to be distributed in Wisconsin Land Information Program authorized by s. 16.967. Change 59.72(5)(a) to direct \$5 more to DOA:

Before the 16th day of each month a register of deeds shall submit to the department of administration \$10 \$15 beginning Jan. 1, 2015 from the fee for recording or filing each instrument that is recorded or filed under s. 59.43 (2) (ag) 1. or (e), less any amount retained by the county under par. (b).

Make unrestricted sharing of county land information a requirement for participation in the Wisconsin Land Information Program, by creating s. 59.72(5)(b)(4):

Land information must be made available to the public with no restrictions, such as on data sharing, or costs charged.



Note
State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0700/P1
EVM:0:...

SM
Ranf

DOA:.....Bong, BB0282 - Register of deeds fees and the land information program

FOR 2013-2015 BUDGET - NOT READY FOR INTRODUCTION

12/21/12

*PUF
Jan 12/27*

do not gen

1 AN ACT .;. relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT ✓

OTHER STATE GOVERNMENT ✓

Under current law, the DOA directs and supervises the land information program and serves as a state clearinghouse for access to land information. Under the land information program, DOA provides technical assistance to state agencies and local governmental units with land information responsibilities, reviews and approves county plans for land records modernization, and provides aids to counties, derived from recording fee revenues collected by counties, for land records modernization projects.

Also under current law, counties collect a \$25 fee for recording or filing most instruments that are recorded or filed with a register of deeds. Counties must remit \$10 of each fee to DOA, which DOA uses to make land records modernization grants. If a county meets certain requirements, including establishing a land information office and council and preparing a county land records modernization plan, the county may retain \$8 of each \$10 fee that would otherwise be payable to DOA. In addition, counties may temporarily collect a \$30 fee for recording or filing most instruments that are recorded or filed with a register of deeds if the county uses \$5 of each fee for redacting social security numbers from certain electronic format

records. The \$30 fee reverts to a \$25 fee upon the earliest of the following: 1) completion of redaction of social security numbers from certain electronic format records; 2) January 1, 2012, unless an extension of time is granted by DOA; or 3) January 1, 2015.

Under this bill, beginning January 1, 2015, counties must collect a \$30 fee for recording or filing most instruments that are recorded or filed with a register of deeds. Counties must remit \$15 of each fee to DOA. A county may retain \$8 of each \$15 fee that would otherwise be payable to DOA if the county meets the requirements under existing law and, in addition, makes its land records available to the public at no cost and without restriction on use.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

X

1 **SECTION 1.** 59.43 (2) (ag) 1. of the statutes is amended to read:

2 59.43 (2) (ag) 1. Subject to s. 59.72 (5) and except as provided in par. (L), for
3 recording any instrument entitled to be recorded in the office of the register of deeds,
4 before January 1, 2015, \$25, and beginning January 1, 2015, \$30, except that no fee
5 may be collected for recording a change of address that is exempt from a filing fee
6 under s. 185.83 (1) (b) or 193.111 (1) (b).

History: 1995 a. 201 ss. 326, 327, 335, 338 to 353, 355, 361, 367, 369, 375, 377 to 380, 382 to 384; 1995 a. 225 ss. 159, 160, 162; 1995 a. 227; 1997 a. 27 ss. 2164am to 2164e, 9456 (3m); 1997 a. 35, 79, 140, 252, 282, 303, 304; 1999 a. 96; 2001 a. 10; 2001 a. 16 ss. 1999m to 2001m, 4041b; 2003 a. 33 s. 2811; 2003 a. 48 ss. 10, 11; 2003 a. 206 ss. 1 to 7, 23, 24; 2005 a. 25 ss. 1231 to 1234, 2493; 2005 a. 41, 139, 441; 2009 a. 98, 314, 320.

7 **SECTION 2.** 59.43 (2) (e) of the statutes is amended to read:

8 59.43 (2) (e) Subject to s. 59.72 (5) and except as provided in par. (L), for filing
9 any instrument which is entitled to be filed in the office of register of deeds and for
10 which no other specific fee is specified, before January 1, 2015, \$25 and beginning
11 January 1, 2015, \$30.

History: 1995 a. 201 ss. 326, 327, 335, 338 to 353, 355, 361, 367, 369, 375, 377 to 380, 382 to 384; 1995 a. 225 ss. 159, 160, 162; 1995 a. 227; 1997 a. 27 ss. 2164am to 2164e, 9456 (3m); 1997 a. 35, 79, 140, 252, 282, 303, 304; 1999 a. 96; 2001 a. 10; 2001 a. 16 ss. 1999m to 2001m, 4041b; 2003 a. 33 s. 2811; 2003 a. 48 ss. 10, 11; 2003 a. 206 ss. 1 to 7, 23, 24; 2005 a. 25 ss. 1231 to 1234, 2493; 2005 a. 41, 139, 441; 2009 a. 98, 314, 320.

12 **SECTION 3.** 59.72 (5) (a) of the statutes is amended to read:

13 59.72 (5) (a) Before the 16th day of each month a register of deeds shall submit
14 to the department of administration \$10 from the fee for recording or filing each

1 instrument that is recorded or filed under s. 59.43 (2) (ag) 1. or (e) before January 1,
2 2015, and \$15 from the fee for recording or filing each instrument that is recorded
3 or filed under s. 59.43 (2) (ag) 1. or (e) beginning January 1, 2015, less any amount
4 retained by the county under par. (b).

History: 1989 a. 31, 339; 1995 a. 201 s. 457; Stats. 1995 s. 59.72; 1997 a. 27 ss. 2175aj to 2175c, 9456 (3m); 2001 a. 16, 104; 2003 a. 33 s. 2811; 2003 a. 48 ss. 10, 11; 2003 a. 206 ss. 8 to 9, 23, 24; 2005 a. 25 ss. 1236 to 1238, 2493; 2009 a. 314.

5 **SECTION 4.** 59.72 (5) (b) (intro.) of the statutes is amended to read:

6 59.72 (5) (b) (intro.) Except as provided in s. 16.967 (7m), a county may retain
7 \$8 of the ~~\$10~~ the portion of each fee submitted to the department of administration
8 under par. (a) from the fee for recording or filing each instrument that is recorded or
9 filed under s. 59.43 (2) (ag) 1. or (e) if all of the following conditions are met:

History: 1989 a. 31, 339; 1995 a. 201 s. 457; Stats. 1995 s. 59.72; 1997 a. 27 ss. 2175aj to 2175c, 9456 (3m); 2001 a. 16, 104; 2003 a. 33 s. 2811; 2003 a. 48 ss. 10, 11; 2003 a. 206 ss. 8 to 9, 23, 24; 2005 a. 25 ss. 1236 to 1238, 2493; 2009 a. 314.

10 **SECTION 5.** 59.72 (5) (b) 4. of the statutes is created to read:

11 59.72 (5) (b) 4. Land records are made available to the public at no cost and
12 without restriction on use.

13 (END)

Done

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0700/P1dn

EVM:):....

SMC

- date -

ATTN: Sasha Bong

Please review the attached draft carefully to ensure that it is consistent with your intent. The following are several issues you may wish to consider in your review of this draft.

1. The request is partially premised on the \$30 register of deeds fees ending on January 1, 2015. This date, however, represents the latest that the \$30 fee may expire. The fee may expire earlier if social security number redaction is completed or, unless granted an extension by DOA, January 1, 2012. This draft leaves the staggered expiration dates intact and begins an unconditioned \$30 fee on January 1, 2015. It is possible, therefore, that some in some counties register of deeds fees will go from \$30 to \$25 then back to \$30.

A possible alternate approach would be to change the standard register of deeds fees to \$30, eliminate the staggered expiration dates, and change the DOA remission amount beginning January 1, 2015.

2. Please review s. 59.72 (5) (b) 4., as created in this draft. The provision requiring availability "without restriction on use" is likely to be construed very broadly. Also, is my use of "land records" in place of "land information" okay?

Please let me know if you would like any changes made to the attached draft or if you have any questions.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0700/P1dn

EVM:sac:jm

December 27, 2012

ATTN: Sasha Bong

Please review the attached draft carefully to ensure that it is consistent with your intent. The following are several issues you may wish to consider in your review of this draft.

1. The request is partially premised on the \$30 register of deeds fees ending on January 1, 2015. This date, however, represents the latest that the \$30 fee may expire. The fee may expire earlier if social security number redaction is completed or, unless granted an extension by DOA, January 1, 2012. This draft leaves the staggered expiration dates intact and begins an unconditioned \$30 fee on January 1, 2015. It is possible, therefore, that some in some counties register of deeds fees will go from \$30 to \$25 then back to \$30.

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Please let me know if you would like any changes made to the attached draft or if you have any questions.

Eric V. Mueller
Legislative Attorney
Phone: (608) 261-7032
E-mail: eric.mueller@legis.wisconsin.gov

Mueller, Eric

From: Bong, Sasha E - DOA <SashaE.Bong@wisconsin.gov>
Sent: Tuesday, January 15, 2013 4:03 PM
To: Mueller, Eric
Subject: BB0282

Eric,

I have a few modifications for draft BB0282 (LRB—0700):

- The decision on the \$5 social security number redaction fee was to use the alternative approach in your note (changing the standard register of deeds fee to \$30) but at the same time, change the amount remitted to DOA to \$15. Counties granted an extension by DOA under s. 59.43(2)(L) may continue to use the \$5 of each fee for redaction, but counties that have completed redaction would remit \$5 to DOA.
- Include language directing the department to establish an implementation plan for a statewide digital parcel map.
- Remove language requiring unrestricted sharing of county land information for participation in the Land Information Program.

Please call or email with any questions.

Thanks,

Sasha



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0700/P1 1P2
EVM:sac:jm

DOA:.....Bong, BB0282 – Register of deeds fees and the land information program

FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION

RMR

In 4/17/13

INSERTS

do not gen

1 AN ACT ...; relating to: the budget.

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records. The \$30 fee reverts to a \$25 fee upon the earliest of the following: 1) completion of redaction of social security numbers from certain electronic format records; 2) January 1, 2012, unless an extension of time is granted by DOA; or 3) January 1, 2015.

Under this bill ~~beginning January 1, 2015, counties must collect a \$30 fee for recording or filing most instruments that are recorded or filed with a register of deeds.~~ Counties must remit \$15 of each fee to DOA. A county may retain \$8 of each \$15 fee that would otherwise be payable to DOA if the county meets the requirements under existing law and, in addition, makes its land records available to the public at no cost and without restriction on use.

is permanent

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

CNS Analysis

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1 SECTION 1. 59.43 (2) (ag) 1. of the statutes is amended to read:

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6 under s. 185.83 (1) (b) or 193.111 (1) (b).

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8 59.43 (2) (e) Subject to s. 59.72 (5) and except as provided in par. (L), for filing
9 any instrument which is entitled to be filed in the office of register of deeds and for
10 which no other specific fee is specified, before January 1, 2015, \$25 and beginning
11 January 1, 2015, \$30.

12 SECTION 3. 59.72 (5) (a) of the statutes is amended to read:

13 59.72 (5) (a) Before the 16th day of each month a register of deeds shall submit
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15 instrument that is recorded or filed under s. 59.43 (2) (ag) 1. or (e) before January 1,

1 2015, and \$15 from the fee for recording or filing each instrument that is recorded
2 or filed under s. 59.43 (2) (ag) 1. or (e) beginning January 1, 2015, less any amount
3 retained by the county under par. (b).

4 **SECTION 4.** 59.72 (5) (b) (intro.) of the statutes is amended to read:

5 59.72 (5) (b) (intro.) Except as provided in s. 16.967 (7m), a county may retain
6 \$8 of the \$10 the portion of each fee submitted to the department of administration
7 under par. (a) from the fee for recording or filing each instrument that is recorded or
8 filed under s. 59.43 (2) (ag) 1. or (e) if all of the following conditions are met:

9 **SECTION 5.** 59.72 (5) (b) 4. of the statutes is created to read:

10 59.72 (5) (b) 4. Land records are made available to the public at no cost and
11 without restriction on use.

12

(END)

INS
3-12

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0700/P2ins
EVM:sac;jm

1 INS Analysis

2

noff
Until January 1, 2015, a county may retain an additional \$5 of each \$15 fee that would otherwise be payable to DOA if the money is used for redacting social security numbers from certain electronic format records and the county has been granted an extension of time by DOA for competing the social security number redaction project.

Also under this bill, DOA must establish an implementation plan for a statewide digital parcel map.

3

4 INS 3-12

5

6 **SECTION 1.** 16.967 (3) (h) of the statutes is created to read:

7 16.967 (3) (h) Establish an implementation plan for a statewide digital parcel
8 map.

9 **SECTION 2.** 59.43 (2) (ag) 1. of the statutes is amended to read:

10 59.43 (2) (ag) 1. Subject to s. 59.72 (5) and ~~except as provided in par. (L)~~, for
11 recording any instrument entitled to be recorded in the office of the register of deeds,
12 \$25 \$30, except that no fee may be collected for recording a change of address that
13 is exempt from a filing fee under s. 185.83 (1) (b) or 193.111 (1) (b).

History: 1995 a. 201 ss. 326, 327, 335, 338 to 353, 355, 361, 367, 369, 375, 377 to 380, 382 to 384; 1995 a. 225 ss. 159, 160, 162; 1995 a. 227; 1997 a. 27 ss. 2164am to 2164e, 9456 (3m); 1997 a. 35, 79, 140, 252, 282, 303, 304; 1999 a. 96; 2001 a. 10; 2001 a. 16 ss. 1999m to 2001m, 4041b; 2003 a. 33 s. 2811; 2003 a. 48 ss. 10, 11; 2003 a. 206 ss. 1 to 7, 23, 24; 2005 a. 25 ss. 1231 to 1234, 2493; 2005 a. 41, 139, 441; 2009 a. 98, 314, 320.

14 **SECTION 3.** 59.43 (2) (e) of the statutes is amended to read:

15 59.43 (2) (e) Subject to s. 59.72 (5) and ~~except as provided in par. (L)~~, for filing
16 any instrument which is entitled to be filed in the office of register of deeds and for
17 which no other specific fee is specified, \$25 \$30.

History: 1995 a. 201 ss. 326, 327, 335, 338 to 353, 355, 361, 367, 369, 375, 377 to 380, 382 to 384; 1995 a. 225 ss. 159, 160, 162; 1995 a. 227; 1997 a. 27 ss. 2164am to 2164e, 9456 (3m); 1997 a. 35, 79, 140, 252, 282, 303, 304; 1999 a. 96; 2001 a. 10; 2001 a. 16 ss. 1999m to 2001m, 4041b; 2003 a. 33 s. 2811; 2003 a. 48 ss. 10, 11; 2003 a. 206 ss. 1 to 7, 23, 24; 2005 a. 25 ss. 1231 to 1234, 2493; 2005 a. 41, 139, 441; 2009 a. 98, 314, 320.

18 **SECTION 4.** 59.43 (2) (L) (intro.) of the statutes is amended to read:

1 59.43 (2) (L) (intro.) For recording any instrument under par. (ag), filing any
 2 instrument under par. (e), and recording certificates and preparing and mailing
 3 documents under par. (i), \$30 if the county uses \$5 of each \$30 fee received under this
 4 paragraph to make social security numbers from electronic format records not
 5 viewable or accessible on the Internet under sub. (4) (c) and s. 59.72 (6), until the
 6 earliest of the following:

History: 1995 a. 201 ss. 326, 327, 335, 338 to 353, 355, 361, 367, 369, 375, 377 to 380, 382 to 384; 1995 a. 225 ss. 159, 160, 162; 1995 a. 227; 1997 a. 27 ss. 2164am to 2164e, 9456 (3m); 1997 a. 35, 79, 140, 252, 282, 303, 304; 1999 a. 96; 2001 a. 10; 2001 a. 16 ss. 1999m to 2001m, 4041b; 2003 a. 33 s. 2811; 2003 a. 48 ss. 10, 11; 2003 a. 206 ss. 1 to 7, 23, 24; 2005 a. 25 ss. 1231 to 1234, 2493; 2005 a. 41, 139, 441; 2009 a. 98, 314, 320.

7 **SECTION 5.** 59.72 (5) (a) of the statutes is amended to read:

8 59.72 (5) (a) Before the 16th day of each month a register of deeds shall submit
 9 to the department of administration \$10 \$15 from the fee for recording or filing each
 10 instrument that is recorded or filed under s. 59.43 (2) (ag) 1. or (e), less any amount
 11 retained by the county under ~~par.~~ pars. (b) and (c).

History: 1989 a. 31, 339; 1995 a. 201 s. 457; Stats. 1995 s. 59.72; 1997 a. 27 ss. 2175aj to 2175c, 9456 (3m); 2001 a. 16, 104; 2003 a. 33 s. 2811; 2003 a. 48 ss. 10, 11; 2003 a. 206 ss. 8 to 9, 23, 24; 2005 a. 25 ss. 1236 to 1238, 2493; 2009 a. 314.

12 **SECTION 6.** 59.72 (5) (b) (intro.) of the statutes is amended to read:

13 59.72 (5) (b) (intro.) Except as provided in s. 16.967 (7m), a county may retain
 14 \$8 of the ~~\$10~~ portion of each fee submitted to the department of administration under
 15 par. (a) from the fee for recording or filing each instrument that is recorded or filed
 16 under s. 59.43 (2) (ag) 1. or (e) if all of the following conditions are met:

History: 1989 a. 31, 339; 1995 a. 201 s. 457; Stats. 1995 s. 59.72; 1997 a. 27 ss. 2175aj to 2175c, 9456 (3m); 2001 a. 16, 104; 2003 a. 33 s. 2811; 2003 a. 48 ss. 10, 11; 2003 a. 206 ss. 8 to 9, 23, 24; 2005 a. 25 ss. 1236 to 1238, 2493; 2009 a. 314.

17 **SECTION 7.** 59.72 (5) (c) of the statutes is created to read:

18 59.72 (5) (c) Before January 1, 2015, a county may retain \$5 of the portion of
 19 each fee submitted to the department of administration under par. (a) from the fee
 20 for recording or filing each instrument that is recorded or filed under s. 59.43 (2) (ag)
 21 1. or (e) if all of the following apply:

- 22 1. The money is used to make social security numbers from electronic format
 23 records not viewable or accessible on the Internet under sub. (6) and s. 59.43 (4) (c).

1 2. The register of deeds is authorized to collect fees under s. 59.43 (2) (L) under
2 an extension granted by the department of administration under s. 59.43 (2) (L) 2.



DOA:.....Bong, BB0282 – Register of deeds fees and the land information program

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Under current law, the DOA directs and supervises the land information program and serves as a state clearinghouse for access to land information. Under the land information program, DOA provides technical assistance to state agencies and local governmental units with land information responsibilities, reviews and approves county plans for land records modernization, and provides aids to counties, derived from recording fee revenues collected by counties, for land records modernization projects.

Also under current law, counties collect a \$25 fee for recording or filing most instruments that are recorded or filed with a register of deeds. Counties must remit \$10 of each fee to DOA, which DOA uses to make land records modernization grants. If a county meets certain requirements, including establishing a land information office and council and preparing a county land records modernization plan, the county may retain \$8 of each \$10 fee that would otherwise be payable to DOA. In addition, counties may temporarily collect a \$30 fee for recording or filing most instruments that are recorded or filed with a register of deeds if the county uses \$5 of each fee for redacting social security numbers from certain electronic format

records. The \$30 fee reverts to a \$25 fee upon the earliest of the following: 1) completion of redaction of social security numbers from certain electronic format records; 2) January 1, 2012, unless an extension of time is granted by DOA; or 3) January 1, 2015.

Under this bill the \$30 fee for recording or filing most instruments that are recorded or filed with a register of deeds is permanent. Counties must remit \$15 of each fee to DOA. A county may retain \$8 of each \$15 fee that would otherwise be payable to DOA if the county meets the requirements under existing law. Until January 1, 2015, a county may retain an additional \$5 of each \$15 fee that would otherwise be payable to DOA if the money is used for redacting social security numbers from certain electronic format records and the county has been granted an extension of time by DOA for competing the social security number redaction project.

Also under this bill, DOA must establish an implementation plan for a statewide digital parcel map.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 16.967 (3) (h) of the statutes is created to read:

2 16.967 (3) (h) Establish an implementation plan for a statewide digital parcel
3 map.

4 **SECTION 2.** 59.43 (2) (ag) 1. of the statutes is amended to read:

5 59.43 (2) (ag) 1. Subject to s. 59.72 (5) ~~and except as provided in par. (L)~~, for
6 recording any instrument entitled to be recorded in the office of the register of deeds,
7 ~~\$25~~ \$30, except that no fee may be collected for recording a change of address that
8 is exempt from a filing fee under s. 185.83 (1) (b) or 193.111 (1) (b).

9 **SECTION 3.** 59.43 (2) (e) of the statutes is amended to read:

10 59.43 (2) (e) Subject to s. 59.72 (5) ~~and except as provided in par. (L)~~, for filing
11 any instrument which is entitled to be filed in the office of register of deeds and for
12 which no other specific fee is specified, ~~\$25~~ \$30.

13 **SECTION 4.** 59.43 (2) (L) (intro.) of the statutes is amended to read:

1 59.43 (2) (L) (intro.) For ~~recording any instrument under par. (ag), filing any~~
2 ~~instrument under par. (e), and recording certificates and preparing and mailing~~
3 documents under par. (i), \$30 if the county uses \$5 of each \$30 fee received under this
4 paragraph to make social security numbers from electronic format records not
5 viewable or accessible on the Internet under sub. (4) (c) and s. 59.72 (6), until the
6 earliest of the following:

7 **SECTION 5.** 59.72 (5) (a) of the statutes is amended to read:

8 59.72 (5) (a) Before the 16th day of each month a register of deeds shall submit
9 to the department of administration ~~\$10~~ \$15 from the fee for recording or filing each
10 instrument that is recorded or filed under s. 59.43 (2) (ag) 1. or (e), less any amount
11 retained by the county under ~~par. (b) and (c)~~.

12 **SECTION 6.** 59.72 (5) (b) (intro.) of the statutes is amended to read:

13 59.72 (5) (b) (intro.) Except as provided in s. 16.967 (7m), a county may retain
14 \$8 of the \$10 portion of each fee submitted to the department of administration under
15 par. (a) from the fee for recording or filing each instrument that is recorded or filed
16 under s. 59.43 (2) (ag) 1. or (e) if all of the following conditions are met:

17 **SECTION 7.** 59.72 (5) (c) of the statutes is created to read:

18 59.72 (5) (c) Before January 1, 2015, a county may retain \$5 of the portion of
19 each fee submitted to the department of administration under par. (a) from the fee
20 for recording or filing each instrument that is recorded or filed under s. 59.43 (2) (ag)
21 1. or (e) if all of the following apply:

22 1. The money is used to make social security numbers from electronic format
23 records not viewable or accessible on the Internet under sub. (6) and s. 59.43 (4) (c).

