

Fiscal Estimate Narratives

DOA 4/3/2015

LRB Number	15-1799/1	Introduction Number	SB-073	Estimate Type	Original
Description Instruments filed or recorded with, and fees charged by, the register of deeds					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, the general fee for recording or filing instruments is \$30. There is category of documents for which the fee is \$25. This category is for recording certain certificates and for preparing and mailing to the clerk of courts certain documents related to survivorship interests.

This bill removes this special fee categorization, which would bring the fee level up to the standard \$30 that applies to all documents filed or recorded for which there is no fee specified. With the increase of the fee level, this category of documents would also be subject to s. 59.72(5), which requires counties to submit \$15 of the \$30 fee to the state Land Information Fund. However, if a county meets certain statutory requirements, it may retain \$8 of the \$15 for land records modernization. All counties currently meet the requirements, which are monitored by the Department of Administration (Department).

Under this bill, counties would submit \$7 of the \$30 fee to the Land Information Fund managed by the Department. Ninety percent of the Land Information Fund revenue is projected to be allocated to counties in the form of Wisconsin Land Information Program grants. Therefore, the net fiscal effect of raising the fee level for certain instruments from \$25 to \$30 will be indeterminate for the counties.

Under current law, there are many specifications for Register of Deeds filing and recording plats, certified survey maps, and other documents. This bill changes some of the detailed requirements. Some of these changes are likely neutral. Others would likely have some cost savings, including:

- Current law requires the register of deeds to record and file plats and certified survey maps. This bill allows the register of deeds to record or file plans and certified survey maps.
- Current law requires that the register of deeds bill the IRS on a monthly basis for fees for documents filed by the IRS. This bill removes the requirement for register of deeds to bill the IRS on a monthly basis.
- Current law requires a register of deeds to keep certain recorded plans and certified survey maps in volumes or books. This bill allows the register of deeds to store such documents electronically.

Long-Range Fiscal Implications