

Fiscal Estimate Narratives

DOR 10/2/2023

LRB Number	23-2398/1	Introduction Number	SB-0439	Estimate Type	Original
Description declaring discriminatory restrictions in instruments that affect real property void and unenforceable and allowing an owner of real property to discharge and release such a discriminatory restriction					

Assumptions Used in Arriving at Fiscal Estimate

The bill addresses discriminatory restrictions, as defined in the open housing law, contained in deeds or other instruments. Under the bill, an owner of real property that is affected by a deed or instrument that contains a discriminatory restriction may record with the register of deeds a certification to discharge and release the discriminatory restriction from the owner's real property. Current law allows for a \$30 recording fee for deeds, mortgages, land contracts, satisfactions, and miscellaneous documents.

The department does not have data on the number of deeds or instruments that may contain a discriminatory restriction that would be subject to release under the bill. To the extent that the discriminatory restrictions still exist on deeds or instruments, the bill could result in an indeterminate workload increase for county register of deeds.

The department does not have any administrative costs.

Long-Range Fiscal Implications