Fiscal Estimate - 2023 Session

LRB Number 23-2398/1

Introduction Number SB-0439

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

Fiscal Effect

State:
- [x] No State Fiscal Effect
- [ ] Indeterminate
  - [ ] Increase Existing Appropriations
  - [ ] Decrease Existing Appropriations
  - [ ] Create New Appropriations
  - [ ] Increase Existing Revenues
  - [ ] Decrease Existing Revenues
  - [ ] Increase Costs - May be possible to absorb within agency's budget
    - [ ] Yes
    - [ ] No
  - [ ] Decrease Costs

Local:
- [ ] No Local Government Costs
- [x] Indeterminate
  - 1. [x] Increase Costs
    - [ ] Permissive
    - [x] Mandatory
  - 2. [ ] Decrease Costs
    - [ ] Permissive
    - [ ] Mandatory
  - 3. [x] Increase Revenue
    - [x] Permissive
    - [ ] Mandatory
  - 4. [ ] Decrease Revenue
    - [ ] Permissive
    - [ ] Mandatory
  - 5. Types of Local Government Units Affected
    - [ ] Towns
    - [x] Village
    - [ ] Cities
    - [ ] Counties
    - [ ] Others
    - [ ] School Districts
    - [ ] WTCS Districts

Fund Sources Affected
- [ ] GPR
- [ ] FED
- [ ] PRO
- [ ] PRS
- [ ] SEG
- [ ] SEGS

Agency/Prepared By
DOR/ Craig Steinfeldt (608) 266-5705

Authorized Signature
Cari Redington (608) 266-2943

Date
10/2/2023
Fiscal Estimate Narratives
DOR 10/2/2023

<table>
<thead>
<tr>
<th>LRB Number</th>
<th>SB-0439</th>
<th>Estimate Type</th>
<th>Original</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>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</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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