



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0700/P2
EVM:sac:jm

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

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

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:

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

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

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

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, 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).

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

59.43 (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.

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

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

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

59.72 (5) (a) Before the 16th day of each month a register of deeds shall submit to the department of administration \$10 \$15 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.~~ pars. (b) and (c).

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

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

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

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

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

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

(END)