



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 421
[2005 Senate Bill 616]

**Uniform Real Property Electronic
Recording Act**

2005 Wisconsin Act 421 provides that:

1. An electronic document may be used when a law requires that a document be an original, be on paper or another tangible medium, or be in writing.
2. An electronic signature may be used when a law requires, as a condition of recording, that a document be signed.
3. An electronic signature may be used when a law requires that a document or a signature associated with a document be notarized, acknowledged, verified, witnessed, or made under oath.

Act 421 also provides that a register of deeds may use electronic documents and provide access to the documents by electronic means. Further, a register of deeds may convert paper documents and information into electronic form. However, a register of deeds who accepts electronic documents for recording must continue to accept paper documents as authorized by state law and must place entries for both types of documents in the same index.

Finally, Act 421 creates the Electronic Recording Council, attached to the Department of Administration. The council must adopt standards to implement the law and the Department of Administration must promulgate by rule the standards adopted by the council. The council must act in a way that takes into account the need for uniformity both within Wisconsin and in other jurisdictions.

Effective Date: The Act takes effect on June 3, 2006.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.