



## Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #581

### Transfer of Municipal Filing Functions to the Department of Administration (Secretary of State)

[LFB 2015-17 Budget Summary: Page 400, #5]

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#### CURRENT LAW

Municipal clerks are required to file certified copies of certain documents, and clerks of the court are required to file certain court orders, relating to municipal boundaries with the Secretary of State (SOS), and the SOS is required, in certain circumstances, to issue certificates of incorporation and record the certificate. The SOS is required under certain circumstances to provide copies of such documents to other state agencies.

#### GOVERNOR

Transfer these functions to the Department of Administration (DOA). These provisions would first apply to a document that is filed, recorded, supplied, provided, forwarded, or issued, or to a fact that is certified, on the effective date of the bill.

#### MODIFICATION

If the Committee accepts the Governor's recommendation, specify that the existing records of the SOS related to the municipal boundary record keeping functions would be transferred to, and become the property of, DOA on the effective date of the bill.

**Explanation:** The administration indicates that it was its intent to transfer the existing municipal records from the SOS to DOA on the effective date of the bill. This modification would more accurately reflect the Governor's intent under the bill.

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