

Legislative Analysis



ELECTRONIC RECORD FEES

Mary Ann Cleary, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5822 (Substitute H-1)
Sponsor: Rep. Bruce R. Rendon
Committee: Local Government

Complete to 12-11-14

A SUMMARY OF HOUSE BILL 5822 (H-1) AS PASSED BY THE HOUSE

House Bill 5822 (H-1) would amend Public Act 161 of 1895, a law that requires county treasurers to furnish transcripts and abstracts of records, to clarify the fees that treasurers can charge for electronic records.

House Bill 5822 (H-1) specifies that the maximum charge for an electronic copy of a record would be 25 cents per parcel record, not to exceed \$1,500 for each request, if the request was for an electronic copy of records in a 'qualified data file'¹ that was maintained by the county treasurer. Under the bill, a county treasurer's response to a request would have to be transmitted electronically using a format that was documented by an open standards organization, and that had defined, delimited fields.

The bill also prohibits copies of records obtained in this manner from being resold for a commercial purpose.

Further, the law now specifies the fees a citizen pays when requesting copies of particular records that are on file at the office of the county treasurer. Currently, for statements concerning the payment of taxes under the General Property Tax Act, the county treasurer receives 20 cents for each description of land, but the total amount paid cannot be less than \$1. House Bill 5822 (H-1) would retain this provision, but specify that the total amount paid shall not be less than \$5. In addition, the law specifies that a county treasurer charge 25 cents for each requested description of land on a list of state tax lands or state bids. House Bill 5822 (H-1) would eliminate this provision in its entirety. Finally, the bill requires that all money collected under the act be credited to the general fund of the county. Now the law simply allows county treasurers to collect and retain the fees.

MCL 48.101

¹ The bill defines "qualified data file" to mean an electronic data file that includes at least the following information in the record for each parcel of real property in the county for the current tax year: (a) the taxable value; (b) the state equalized value; (c) the assessed value; (d) past sale data; (e) the property classification; (f) the property address; (g) the parcel identification number; (h) the owner's name and address; (i) the taxpayer's name and address; (j) principal residence status; (k) other tax equalization data; (l) special assessments; (m) the total millage rate; (n) an enumerated millage list; (o) the tax bill amount for the winter tax bill; and (p) the tax bill amount for the summer tax bill.

FISCAL IMPACT:

The fiscal impact on county government is incalculable. County governments would get revenues through fees for each request fulfilled. However, depending on the size of the request, it is unknown if the fee charged would cover the overall cost of providing the service.

POSITIONS:

The Michigan Association of County Treasurers supports the bill. (12-4-14)

The Michigan Realtors support the bill. (12-4-14)

The Michigan Association of Counties supports the bill. (12-4-14)

Legislative Analyst: J. Hunault
Fiscal Analyst: Perry Zielak

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.