



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2015 Wisconsin Act 48**  
[2015 Assembly Bill 82]

**Various Changes Relating to  
Recording and Filing Documents  
with a County Register of Deeds**

2015 Wisconsin Act 48 makes various changes relating to the recording and filing of documents with a county register of deeds.

### **BACKGROUND**

In Wisconsin, county registers of deeds are elected, constitutional officers. Among other duties, a county register of deeds must record or cause to be recorded, all deeds, mortgages, instruments, and writings authorized by law to be recorded in his or her office and left with him or her for that purpose, provided that the documents clearly display certain information. [s. 59.43 (1) (a), Stats.] Various statutes set forth requirements for filing and recording documents with a county register of deeds.

### **2015 WISCONSIN ACT 48**

In addition to several changes that could be characterized as technical, the Act does all of the following:

- Allows for electronic storage of certain recorded plats and survey maps, which prior law required to be kept in volumes or books.
- Modifies requirements relating to filing and indexing certain documents pertaining to security interests to instead require registers of deeds to record such documents, if they are required to be recorded, and to index the documents at the time of recording.
- Modifies a requirement relating to providing document numbers, volume numbers, and page numbers in a real estate records index to require volume and page numbers only if those numbers are given on the instrument.

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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.wisconsin.gov>.

- Repeals a special \$25 filing fee for recording and preparing certain documents in probate proceedings, with the effect that a general \$30 recording fee will instead apply.
- Modifies a provision to allow, rather than require, registers of deeds to bill the federal Internal Revenue Service (IRS) on a monthly basis for filing certain documents.
- Modifies a formatting requirement for recorded documents to allow documents to be in blue ink, rather than only black or red ink as under prior law.
- Modifies a margin size requirement in a provision authorizing a register of deeds to charge fees for extra pages necessitated by inadequate margin space, to match the margin size specified in general formatting requirements for recorded documents.
- Repeals an exception to general formatting requirements for re-recorded documents.
- Repeals a provision in the Probate Code that required registers of deeds to mail or deliver copies of certain documents to circuit courts.

*Effective date:* July 3, 2015

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