



2025 ASSEMBLY BILL 216

April 23, 2025 - Introduced by Representatives GREEN, ALLEN, ARMSTRONG, BEHNKE, BROOKS, DITTRICH, DUCHOW, FRANKLIN, GOEBEN, B. JACOBSON, KREIBICH, MELOTIK, MIRESE, MURPHY, MURSAU, NOVAK, O'CONNOR, ORTIZ-VELEZ, PENTERMAN, PIWOWARCZYK, VANDERMEER and SUMMERFIELD, cosponsored by Senators STAFSHOLT, CABRAL-GUEVARA, FEYEN, NASS and WANGGAARD. Referred to Committee on Housing and Real Estate.

1 **AN ACT** *to renumber and amend* 77.24; *to amend* 16.967 (7) (am) 2., 16.967
2 (7) (b), 20.505 (1) (uc), 25.55 and 77.22 (1); ***to create*** 16.967 (7) (c), 59.43 (13)
3 and 77.24 (2) of the statutes; **relating to:** the amount and distribution of the
4 real estate transfer fee, grants under the land information program, real
5 property recording notification systems, and making an appropriation.

Analysis by the Legislative Reference Bureau

Current law, generally, requires a person who conveys an interest in real property to file a real estate transfer return with the county register of deeds and pay a real estate transfer fee equal to 30 cents for each \$100 of the value of the conveyance. The county retains 20 percent of the fees collected and transmits the remainder to the state.

This bill decreases the real estate transfer fee to 20 cents for each \$100 of the value of the conveyance. Under the bill, 30 percent of the fees collected are deposited into the general fund, 20 percent of the fees are deposited into the land information fund, and the county retains 50 percent of the fees.

Under current law, the Department of Administration administers a land information program, using revenue from the land information fund, that provides funding to counties for the modernization of local land records. Under the land

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information program, DOA awards land information system base budget grants to counties to enable county land information offices to develop, maintain, and operate basic land information systems. Currently, the minimum amount of a grant is \$100,000 less the amount of certain fees retained by the county in the preceding fiscal year. The bill increases that base amount to \$175,000 less the retained fees.

Under current law, DOA may award a grant under the land information program to any county in an amount not less than \$1,000 per year to be used for the training and education of county employees for the design, development, and implementation of a land information system. The bill increases the minimum training and education grant amount from \$1,000 to \$5,000.

The bill directs DOA to award additional local government contribution based grants to counties to fully distribute 46 percent of the amount of real estate transfer fees that are deposited into the land information fund under the bill in each fiscal year. Under the bill, DOA annually must award 46 percent of those deposited amounts as grants to counties based on the relative proportion of the fees each county collected.

This bill also requires any county that retains real estate transfer fee moneys to establish a real property recording notification system to be administered by the county's register of deeds. Upon application by a person, such a system monitors publicly recorded real property records for activity and changes related to properties owned by a specific person or a specific property, and, upon the recording of a new document against a monitored property, notifies the person who applied for monitoring. The bill specifies that no fee may be charged to an applicant for application, monitoring, or notification under such a system.

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:

1 **SECTION 1.** 16.967 (7) (am) 2. of the statutes is amended to read:

2 16.967 (7) (am) 2. The minimum amount of a grant under this paragraph is
3 determined by subtracting the amount of fees that the county retained under s.
4 59.72 (5) (b) in the preceding fiscal year from ~~\$100,000~~ \$175,000. The department
5 is not required to award a grant to a county that retained at least ~~\$100,000~~
6 \$175,000 in fees under s. 59.72 (5) (b) in the preceding fiscal year.

7 **SECTION 2.** 16.967 (7) (b) of the statutes is amended to read:

8 16.967 (7) (b) In addition to any other grant ~~received~~ awarded under this

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subsection, the department may award a grant to any county in an amount not less than ~~\$1,000~~ \$5,000 per year to be used for the training and education of county employees for the design, development, and implementation of a land information system.

SECTION 3. 16.967 (7) (c) of the statutes is created to read:

16.967 (7) (c) In addition to any other grant awarded under this subsection, the department shall award local government contribution based grants to counties, for the purposes specified under par. (am), to fully distribute 46 percent of the amounts received by the department under s. 77.24 (2) (b) in each fiscal year. The department shall determine the amount of a grant awarded to a county as follows:

1. Determine the total amount of moneys received by the department under s. 77.24 (2) (b) in the preceding fiscal year.
2. Determine the total amount of moneys received by the department under s. 77.24 (2) (b) in the preceding fiscal year that were collected by the county.
3. Divide the amount determined under subd. 2. by the amount determined under subd. 1.
4. Multiply the amount determined under subd. 1. by 46 percent.
5. Multiply the quotient under subd. 3. by the product under subd. 4.

SECTION 4. 20.505 (1) (uc) of the statutes is amended to read:

20.505 (1) (uc) *Land information program; local aids.* From the land information fund, all moneys received by the department under ~~s. ss.~~ 59.72 (5) (a) and 77.24 (2) (b), except moneys appropriated under par. (ub), for aids to counties under s. 16.967 (7).

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1 **SECTION 5.** 25.55 of the statutes is amended to read:

2 **25.55 Land information fund.** There is created a separate nonlapsible
3 trust fund designated as the land information fund, consisting of moneys received
4 under ~~s. ss.~~ ss. 59.72 (5) (a) and 77.24 (2) (b).

5 **SECTION 6.** 59.43 (13) of the statutes is created to read:

6 **59.43 (13) REAL PROPERTY RECORDING NOTIFICATION SYSTEM.** A county that
7 retains moneys under s. 77.24 shall establish a real property recording notification
8 system to be administered by the register of deeds. Upon application by a person,
9 the system shall monitor publicly recorded real property records for activity and
10 changes related to properties owned by a specific person or a specific property, and,
11 upon the recording of a new document against a monitored property, notify the
12 applicant. No fee may be charged to an applicant for application, monitoring, or
13 notification under a system established under this subsection.

14 **SECTION 7.** 77.22 (1) of the statutes is amended to read:

15 **77.22 (1)** There is imposed on the grantor of real estate a real estate transfer
16 fee at the rate of ~~30~~ 20 cents for each \$100 of value or fraction thereof on every
17 conveyance not exempted or excluded under this subchapter. In regard to land
18 contracts, the value is the total principal amount that the buyer agrees to pay the
19 seller for the real estate. This fee shall be collected by the register at the time the
20 instrument of conveyance is submitted for recording. Except as provided in s.
21 77.255, at the time of submission the grantee or his or her duly authorized agent or
22 other person acquiring an ownership interest under the instrument, or the
23 judgment creditor in the case of a foreclosure under s. 846.16, shall execute a
24 return, signed by both grantor and grantee, on the form prescribed under sub. (2).

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1 The register shall enter the fee paid on the face of the deed or other instrument of
2 conveyance before recording, and, except as provided in s. 77.255, submission of a
3 completed real estate transfer return and collection by the register of the fee shall
4 be prerequisites to acceptance of the conveyance for recording. The register shall
5 have no duty to determine either the correct value of the real estate transferred or
6 the validity of any exemption or exclusion claimed. If the transfer is not subject to a
7 fee as provided in this subchapter, the reason for exemption shall be stated on the
8 face of the conveyance to be recorded by reference to the proper subsection under s.
9 77.25.

10 **SECTION 8.** 77.24 of the statutes is renumbered 77.24 (1) and amended to
11 read:

12 77.24 (1) ~~Twenty~~ Fifty percent of all fees collected under this subchapter shall
13 be retained by the county and the balance shall be transmitted to the state as
14 provided in sub. (2).

15 **(3)** Remittances shall be made monthly by the county treasurers to the
16 department of revenue by the 15th day of the month following the close of the month
17 in which the fee was collected. The remittance to the department shall be
18 accompanied by the returns executed under s. 77.22.

19 **SECTION 9.** 77.24 (2) of the statutes is created to read:

20 77.24 (2) (a) Thirty percent of all fees collected under this subchapter shall be
21 deposited into the general fund.

22 (b) Twenty percent of all fees collected under this subchapter shall be
23 deposited into the land information fund.

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SECTION 10. Initial applicability.

(1) This act first applies to conveyances filed on the effective date of this subsection.

SECTION 11. Effective date.

(1) This act takes effect on the 30th day after the day of publication.

(END)