

State of Wisconsin



2009 Assembly Bill 292

Date of enactment: **December 10, 2009**
Date of publication*: **December 28, 2009**

2009 WISCONSIN ACT 98

AN ACT *to repeal* 59.43 (2m) (a) 6.; *to amend* 226.14 (1) (b) and 706.055; and *to create* 59.43 (1g), 59.43 (2m) (b) 7. and 706.25 (3) (d) of the statutes; **relating to:** recording and filing documents with the register of deeds.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 59.43 (1g) of the statutes is created to read:

59.43 (1g) **AUTHORITY TO REJECT ENTIRE GROUP OF RELATED DOCUMENTS.** If the register of deeds is presented with a group of related documents that has been identified by the person submitting the documents by any reasonable method as representing a single transaction and one or more documents within the group may not be recorded because of a failure to comply with any provision of sub. (2m), the register of deeds may return the entire group of documents unrecorded.

SECTION 2. 59.43 (2m) (a) 6. of the statutes is repealed.

SECTION 3. 59.43 (2m) (b) 7. of the statutes is created to read:

59.43 (2m) (b) 7. The bottom and side margins of each page are at least 0.25 inch.

SECTION 4. 226.14 (1) (b) of the statutes is amended to read:

226.14 (1) (b) A copy of the declaration of trust and amendments verified in the manner described in par. (a), and a certificate of the department of financial institutions, showing the date when the declaration was filed and accepted by the department of financial institutions

shall, within 30 days of filing and acceptance by the department of financial institutions, be recorded with the register of deeds of the county in which the trust has its principal office or place of business in this state. No common law trust shall transact business in this state until the declaration of trust or verified copy of the declaration is left for record. The register of deeds shall immediately transmit to the department of financial institutions a certificate stating the time when the declaration or verified copy of the declaration was recorded. The register of deeds shall be entitled to ~~a~~ the fee of 25 cents specified under s. 59.43 (2) (b) for the certificate, to be paid by the person presenting the papers for record. Upon receipt of the register of deed's certificate, the department of financial institutions shall issue to the trustees of the trust a certificate of filing.

SECTION 5. 706.055 of the statutes is amended to read:

706.055 Register Conveyances of mineral rights. The register of deeds shall record all conveyances of mineral interests in ~~a register of mineral rights~~ the index maintained under s. 59.43 (9).

SECTION 6. 706.25 (3) (d) of the statutes is created to read:

706.25 (3) (d) Every document that a register of deeds accepts for recordation under this subsection shall be considered recorded despite its failure to conform to

* Section 991.11, WISCONSIN STATUTES 2007-08 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

one or more of the requirements of this section or s. 59.43
(2m), if the document is properly indexed in a public
index maintained in the office of the register of deeds.
