



Frank Lasee

WISCONSIN STATE SENATOR
FIRST SENATE DISTRICT



Senator Lasee's Testimony **Senate Bill 279 – Improving Title Transfer Recordkeeping**

Currently, there are several circumstances in which title transfers go unreported. This creates unnecessary confusion for anyone looking for a property holder. SB 279 eliminates reporting exemptions clarifying who owns what, while keeping the status quo on which conveyances require a fee.

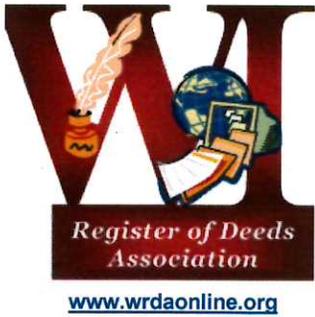
This bill can be likened to a spouse that writes checks without recording the transactions. When that spouse's partner tries to balance the checkbook, it's in complete disarray. With SB 279, we're not changing any transactions or fees, we're simply requiring proper documentation.

The 5 exemptions:

1. The person made the conveyance before October 1, 1969
2. The property is conveyed from the United States or from this state or from any agency or subdivision of either.
3. The property is conveyed to the United States or to this state or to any agency or subdivision of either in order to construct a road, street, or highway.
4. The property is sold to pay delinquent taxes.
5. The property is conveyed by will, descent, or survivorship.

This bill was brought to me by the Register of Deeds in Brown County and is supported by the Register of Deeds Association, the Wisconsin Real Property Listers Association, and others.

SB 279 brings conveyances in line with 21st century technology and preserves current fee exemptions. Please support SB 279.



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Tuesday October 6, 2015

RE: 2015 Senate Bill 279

Dear Committee on Insurance, Housing and Trade:

The Wisconsin Register of Deeds Association (WRDA) would like to go on record supporting SB-279 requiring a real estate transfer return (eRETR) for every conveyance, with the exception only to documents prior to the creation of chapter 77.25, October 1, 1969 exemption 1.

Register of Deeds Comments

- **Standardization.** Requiring an eRETR on all real property conveyances would alleviate any confusion the general public feels when trying to determine if their document requires a return. In addition it would end any and all questions asking when a return is required from our business partners.
- **Consistency.** Requiring an eRETR on all conveyances would simplify the process and result in a consistent work flow for every party involved.
- **The following lists numerous reasons why we feel this is necessary:**
 - The implementation of the newly mandated Statewide Parcel Mapping Initiative will benefit greatly with the requirement of eRETR's on all conveyances.
 - By completing a transfer return for every conveyance we will create a transparent government allowing the public to view any and all property transfers.
 - This requirement will also assist the municipal assessors in preparing the appropriate assessment on all properties.

Requiring the eRETR for all conveyances, regardless of the exemption, simplifies the process and insures valuable details about the property for assessment and taxation are provided to the County and State. Filers claiming one of the 21 exemptions would continue to be exempt from paying the Wisconsin Real Estate transfer fee.

To summarize, when transferring real estate in Wisconsin, the person conveying property records a deed and an eRETR with the register of deeds in the county where the property is located. While the deed is a legal instrument used to transfer title from the seller to the buyer, the eRETR is the instrument used to update the county tax roll, update ownership records with the Wisconsin Department of Revenue, provides valuable details about the property attributes and gives the preferred name and address of the responsible party who will receive the annual tax bill.

For these reasons the WRDA asks for your support of SB-279.

Carey Petersilka, Wisconsin Register of Deeds Co Legislative Chair/ 1st Vice-President

Sarah Guenther, Wisconsin Register of Deeds Co Legislative Chair/Green Lake County Register