

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1090

Short Title: No SSNs in Recorded/Filed Documents. (Public)

Sponsors: Representatives Langdon, Moore (Primary Sponsors); Blust, Brown, Capps, Cleveland, Daughtry, Frye, Grady, Hilton, Hollo, Holmes, McGee, Preston, Stam, Starnes, and Walend.

Referred to: Judiciary II.

April 4, 2005

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT DOCUMENTS PREPARED FOR RECORDATION OR FILING SHALL NOT INCLUDE SOCIAL SECURITY NUMBERS AND THAT REGISTERS OF DEEDS AND CLERKS OF COURT MAY DECLINE ACCEPTANCE OF A DOCUMENT FOR RECORDATION OR FILING WHEN A PREPARER UNLAWFULLY INCLUDES A SOCIAL SECURITY NUMBER.

The General Assembly of North Carolina enacts:

SECTION 1. Article 5 of Chapter 45 of the General Statutes is amended by adding a new section to read:

"§ 45-45.3. No social security numbers on mortgages and deeds of trust documents.

Unless specifically required by law, the preparer of a mortgage, deed of trust, or other instrument pertaining to the transfer or ownership of real property that may be filed or recorded shall not disclose in any of these documents the social security number of any individual."

SECTION 2. Chapter 32A of the General Statutes is amended by adding a new Article to read:

"Article 5.

"Miscellaneous.

"§ 32A-35. No social security numbers on powers of attorney.

The preparer of any power of attorney under this Chapter shall not include an individual's social security number when preparing the power of attorney unless there is a specific legal requirement to include the social security number."

SECTION 3. Article 3F of Chapter 143 of the General Statutes is amended by adding a new section to read:

"§ 143-64.61. No social security numbers on documents for filing or recordation.

1 (a) Unless specifically required by law, the preparer of any document that by law
2 may be filed or recorded with the clerk of superior court or the register of deeds shall
3 not include an individual's social security number when preparing the document.

4 (b) The clerk of superior court and the register of deeds who is presented any
5 instrument or document that discloses the social security number of an individual in
6 violation of this section or any other law shall obliterate the social security number
7 before recording the instrument or document. Nothing in this section shall be construed
8 to impose any liability on any clerk of superior court or register of deeds who fails to
9 obliterate a social security number before recording the instrument or document."

10 **SECTION 4.** This act is effective when it becomes law and applies to
11 documents prepared for filing or recordation on or after that date.