

NOTICE

Effective July 1, 2010

Pursuant to South Dakota Codified Laws 43-28-24 through 43-28-28:

The preparer of a document or instrument may not include an individual's personally identifiable information in any document or instrument that is prepared and presented for recording in the county office of the register of deeds. This section does not apply to any document or instrument that was executed by an individual prior to July 1, 2010.

These provisions do not apply to a state or federal tax lien or release relating to a state or federal tax lien, a military separation or discharge record, a uniform commercial code filing in the county office of the register of deeds or any governmental certified copy of a document or instrument.

Terms used in this Act mean:

(1) "Personally identifiable information," any information that includes one or more of the following specific unique identifiers when combined with an individual's name:

- a. A social security number. This term does not, however, include the last four digits of social security number;
- b. Checking, savings, or share account number; or
- c. Credit, debit, or charge card number;

(2) "Preparer," any person who creates, drafts, edits, revises, or changes the document or instrument that is recorded with the register of deeds. The term, preparer, does not include any person who hires, requires, refers, pays, or requests that the document or instrument be drafted or recorded.

The register of deeds may not reject a document or instrument presented for recording solely because the document or instrument fails to comply with SDCL 43-28-24 to 43-28-27.