

NOTICE

Effective July 1, 2010

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

43-28-24. Definitions related to identity information. Terms used in §43-28-25 to 43-28-28, inclusive, mean:

- (1) "Personally identifiable information," any information that includes one or more of the following specific unique identifies when combined with an individual's name
 - a. A social security number. This term does not, however, include the last four digits of a social security number
 - b. Checking, savings, or share account numbers, 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

43-28-25 Document preparers prohibited from including personally identifiable information. 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 1st, 2010.

43-28-26 Certain documents exempt. The provision of §§ 43-28-24 to 43-28-28, inclusive 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.

43-28-27 Register of deeds to post notice. The register of deeds shall post a notice in the county office of the register of deeds and on any website provided by the register of deeds. The notice shall include the information provided in §§43-28-24 to 43-28-26, inclusive.

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