

IC 36-2-7.5

Chapter 7.5. Recording Documents Containing Social Security Numbers

IC 36-2-7.5-1

Applicability

Sec. 1. This chapter applies after December 31, 2005.

As added by P.L.91-2005, SEC.3.

IC 36-2-7.5-1.5

Federal liens on real property and federal tax liens on personal property exempted

Sec. 1.5. This chapter does not apply to a federal lien on real property or federal tax lien on personal property as described in IC 36-2-11-25.

As added by P.L.171-2006, SEC.11.

IC 36-2-7.5-2

"Redacting technology"

Sec. 2. As used in this chapter, "redacting technology" refers to technology that has the ability to:

- (1) search recorded and filed documents; and
- (2) redact Social Security numbers from recorded and filed documents.

As added by P.L.91-2005, SEC.3. Amended by P.L.171-2006, SEC.12.

IC 36-2-7.5-3

Disclosure of last four digits of Social Security number

Sec. 3. For purposes of this chapter, disclosure of the last four (4) digits of an individual's Social Security number is not a disclosure of the individual's Social Security number.

As added by P.L.91-2005, SEC.3.

IC 36-2-7.5-4

Document containing Social Security number may not be submitted to county recorder; exception

Sec. 4. A document may not be submitted to the county recorder for recording or filing if the document contains the Social Security number of an individual, unless required by law.

As added by P.L.91-2005, SEC.3. Amended by P.L.171-2006, SEC.13.

IC 36-2-7.5-5

Affirmation of individual preparing document for recording or filing

Sec. 5. (a) An individual preparing a document for recording or filing shall make the affirmation and statement required by IC 36-2-11-15(c) and IC 36-2-11-15(d).

As added by P.L.91-2005, SEC.3. Amended by P.L.171-2006,

SEC.14.

IC 36-2-7.5-6

County identification security protection fee

Sec. 6. (a) The county recorder shall charge a two dollar (\$2) county identification security protection fee for recording or filing a document in addition to the fees required by IC 36-2-7-10(b)(1) through IC 36-2-7-10(b)(11).

(b) The county recorder shall deposit two dollars (\$2) of the fee charged under subsection (a) in the county identification security protection fund established by section 11 of this chapter. This subsection expires July 1, 2011.

(c) Beginning July 1, 2011, the county recorder shall deposit the fee charged under subsection (a) in the following manner:

(1) One dollar (\$1) shall be deposited in the county recorder's records perpetuation fund established under IC 36-2-7-10(d).

(2) Fifty cents (\$0.50) shall be deposited in the county identification security protection fund established under section 11 of this chapter.

(3) Fifty cents (\$0.50) shall be deposited in the county elected officials training fund established under IC 36-2-7-19.

As added by P.L.91-2005, SEC.3. Amended by P.L.171-2006, SEC.15; P.L.45-2010, SEC.4.

IC 36-2-7.5-7

State board of accounts to establish procedures

Sec. 7. The state board of accounts shall establish reasonable procedures for a county recorder to follow:

(1) when receiving and reviewing a document submitted for recording or filing; and

(2) in order to comply with this chapter.

As added by P.L.91-2005, SEC.3. Amended by P.L.171-2006, SEC.16.

IC 36-2-7.5-8

Recorder to search documents for Social Security number; redaction; applicability

Sec. 8. (a) This section applies after December 31, 2007.

(b) To the extent practicable and as permitted by law, a county recorder may not disclose a recorded or filed document for public inspection under IC 5-14-3 until the county recorder has:

(1) searched the document for a Social Security number; and

(2) to the extent practicable, redacted any Social Security numbers contained in the document;

using redacting technology.

As added by P.L.91-2005, SEC.3. Amended by P.L.171-2006, SEC.17.

IC 36-2-7.5-9

Notice posted by county recorder

Sec. 9. A county recorder shall post a notice in the county recorder's office that states the:

(1) duties of:

(A) an individual preparing or reviewing a document for recording or filing; and

(B) the county recorder;

under this chapter; and

(2) penalties under section 12 of this chapter.

As added by P.L.91-2005, SEC.3. Amended by P.L.171-2006, SEC.18.

IC 36-2-7.5-10

Training county recorder employees

Sec. 10. A county recorder shall conduct training sessions at least two (2) times each year for the county recorder's employees on the:

(1) requirements of this chapter; and

(2) procedures to follow in order to comply with this chapter.

As added by P.L.91-2005, SEC.3.

IC 36-2-7.5-11

County identification security protection fund

Sec. 11. (a) As used in this section, "fund" refers to a county identification security protection fund established under subsection (b).

(b) Each county legislative body shall establish an identification security protection fund to be administered by the county recorder. The county fiscal body shall appropriate money from the fund.

(c) A fund consists of money deposited in the fund under section 6(b) of this chapter (before July 1, 2011) and section 6(c) of this chapter (after June 30, 2011). Money in a fund does not revert to the county general fund.

(d) A county recorder may use money in the fund only to purchase, upgrade, implement, or maintain redacting technology used in the office of the county recorder.

As added by P.L.91-2005, SEC.3. Amended by P.L.171-2006, SEC.19; P.L.45-2010, SEC.5.

IC 36-2-7.5-12

Disclosure of Social Security number by county recorder employee; Class A infraction

Sec. 12. (a) This section applies after June 30, 2008.

(b) A county recorder or an employee of a county recorder who knowingly, intentionally, or recklessly discloses a recorded or filed document that contains a Social Security number without having the document searched, to the extent technologically practicable and as permitted by law, using redacting technology commits a Class A infraction.

As added by P.L.91-2005, SEC.3. Amended by P.L.171-2006, SEC.20.