

Introduced by

Senators Casper, Kannianen, D. Larson

Representatives Blum, Howe

1 A BILL for an Act to amend and reenact subsection 2 of section 41-09-87 of the North Dakota
2 Century Code, relating to the requirement of a social security number or internal revenue
3 service taxpayer identification number on uniform commercial code and secured transaction
4 records.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Subsection 2 of section 41-09-87 of the North Dakota Century
7 Code is amended and reenacted as follows:

8 2. Filing does not occur with respect to a record that a filing office refuses to accept
9 because:

10 a. The record is not communicated by a method or medium of communication
11 authorized by the filing office;

12 b. An amount equal to or greater than the applicable filing fee is not tendered;

13 c. The filing office is unable to index the record because:

14 (1) In the case of an initial financing statement, the record does not provide a
15 name for the debtor;

16 (2) In the case of an amendment or information statement, the record:

17 (a) Does not identify the initial financing statement as required by section
18 41-09-83 or 41-09-89, as applicable; or

19 (b) Identifies an initial financing statement whose effectiveness has
20 lapsed under section 41-09-86;

21 (3) In the case of an initial financing statement that provides the name of a
22 debtor identified as an individual or an amendment that provides a name of
23 a debtor identified as an individual which was not previously provided in the

- 1 financing statement to which the record relates, the record does not identify
2 the debtor's surname; or
- 3 (4) In the case of a record filed or recorded in the filing office described in
4 subdivision a of subsection 1 of section 41-09-72, the record does not
5 provide a sufficient description of the real property to which it relates;
- 6 d. In the case of an initial financing statement or an amendment that adds a
7 secured party of record, the record does not provide a name and mailing address
8 for the secured party of record;
- 9 e. In the case of an initial financing statement or an amendment that provides a
10 name of a debtor which was not previously provided in the financing statement to
11 which the amendment relates, the record does not:
- 12 (1) Provide a mailing address for the debtor; or
13 (2) Indicate whether the name provided as the name of the debtor is an
14 individual or an organization;
- 15 f. In the case of an assignment reflected in an initial financing statement under
16 subsection 1 of section 41-09-85 or an amendment filed under subsection 2 of
17 section 41-09-85, the record does not provide a name and mailing address for
18 the assignee;
- 19 g. In the case of a continuation statement, the record is not filed within the
20 six-month period prescribed by subsection 4 of section 41-09-86; or
- 21 h. ~~The~~In the case of filings entered in the secretary of state's online filing system,
22 the record does not contain the social security number or the internal revenue
23 service taxpayer identification number of the debtor.