



## **Sub. H.B. 170**

125th General Assembly  
(As Passed by the House)

**Reps. Callender, Oelslager, Wolpert, Schlichter, Chandler, Daniels, Ujvagi, Wagner, McGregor, C. Evans, Cirelli, Sferra, Allen, Aslanides, Barrett, Beatty, Boccieri, Brinkman, Brown, Buehrer, Carmichael, Cates, DeBose, DePiero, Distel, Driehaus, D. Evans, Faber, Gibbs, Gilb, Hartnett, Harwood, Hughes, Jolivette, Key, Koziura, Latta, Miller, Niehaus, T. Patton, Perry, Peterson, Price, Raussen, Reidelbach, Schaffer, Schmidt, Schneider, Seaver, Seitz, G. Smith, S. Smith, J. Stewart, Sykes, Taylor, Widener, Young**

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### **BILL SUMMARY**

- Prohibits any person from including an individual's social security number on any document submitted to the county recorder for recording unless that number is otherwise required by law to be on the document.
- Provides an affirmative defense that a person may raise in a civil action for damages for any harm an individual allegedly sustains as a result of the inclusion of an individual's social security number on a document in violation of the bill's noninclusion requirement: namely, that the person made a good faith effort to comply with the requirement.

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### **CONTENT AND OPERATION**

#### **Background information**

R.C. 317.08 requires the county recorder to keep six separate sets of records. These records consist of (1) a record of deeds, (2) a record of mortgages, (3) a record of powers of attorney, (4) a record of plats, (5) a record of leases, and (6) a record of declarations executed pursuant to R.C. 2133.02 and durable powers of attorney for health care. All instruments or memoranda of instruments entitled to record must be recorded in the proper record in the order in which they are presented for record. The recorder may index, keep, and record in one volume unemployment compensation liens, internal revenue tax liens and other liens in favor of the United States, personal tax liens, mechanic's liens, agricultural product

liens, notices of liens, certificates of satisfaction or partial release of estate tax liens, discharges of recognizances, excise and franchise tax liens on corporations, broker's liens, and liens provided for in R.C. 1513.33, 1513.37, 3752.13, 5111.021, and 5311.08. (R.C. 317.08, not in the bill.)

**Operation of the bill**

The bill prohibits a person from including an individual's social security number on any document submitted to the county recorder for recording unless the social security number is otherwise required by law to be on the document. The bill also provides that a person is not liable in damages in a civil action for any harm an individual allegedly sustains as a result of the inclusion of the individual's social security number on a document in violation of this requirement if the person establishes as an affirmative defense that the person made a good faith effort to comply with this requirement. (R.C. 317.082.)

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	05-01-03	p. 446
Reported, H. County and Township Gov't	06-25-03	pp. 962-963
Passed House (99-0)	06-25-03	pp. 980-981

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