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*Bill Analysis*  
*Legislative Service Commission*

## **S.B. 85**

125th General Assembly  
(As Introduced)

**Sens. Schuring, Stivers, Spada, Jacobson, Herington**

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### **BILL SUMMARY**

- Prohibits a county recorder from accepting for recording any document that includes any individual's Social Security number if the document is prepared for recording pursuant to R.C. 317.08 in the office of the county recorder.
- Prohibits the preparer of any document to be recorded by a county recorder under R.C. 317.08 from including any individual's Social Security number in the document prepared for recording in the county recorder's office.
- Requires the county recorder to remove, without charging any fee for the removal, the Social Security number of an individual from a record in all formats in which it is maintained upon the request of any person to remove a specified individual's Social Security number from a record kept under R.C. 317.08 by the county recorder's office.

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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.)

**Operation of the bill**

The bill prohibits the preparer of any document to be recorded by a county recorder under R.C. 317.08 from including any individual's Social Security number in any copy of the document that is filed for recording in the county recorder's office. The county recorder is prohibited from accepting such a document for recording if it includes any individual's Social Security number. Upon the request of any person to remove a specified individual's Social Security number from a record kept by the county recorder's office under R.C. 317.08, the county recorder must remove, without charging any fee for the removal, the Social Security number from the record in all formats in which the Social Security number is maintained. (R.C. 317.082(C).)

The bill includes the following definitions for use in the above-described provisions (R.C. 317.082(A)):

(1) "Preparer" means any mortgage company, bank, title agency, or other person responsible for filing documents with the county recorder's office for recording under R.C. 317.08.

(2) "Remove" means to permanently eliminate.

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**HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	05-08-03	p. 326

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