

PROPOSED AMENDMENTS TO SENATE BILL NO. 2191

Page 1, line 2, remove the first "and" and after "57-38-50" insert ", subsections 3, 4, 5, and 6 of section 57-39.2-13, subsections 3, 4, 5, and 6 of section 57-40.2-16, subsections 2, 3, and 4 of section 57-40.3-07.1, subsections 3, 4, and 6 of section 57-43.1-17.4, and subsections 3, 4, and 6 of section 57-43.2-16.3"

Page 3, after line 8, insert:

**"SECTION 4. AMENDMENT.** Subsections 3, 4, 5, and 6 of section 57-39.2-13 of the 1995 Supplement to the North Dakota Century Code are amended and reenacted as follows:

3. ~~In order to preserve the lien against subsequent mortgagees, purchasers, or Any mortgagee, purchaser, judgment creditors, for value and without notice of the lien, creditor, or lien claimant acquiring any interest in, or lien on, any property situated in the state, prior to the commissioner shall file with filing in the central notice system maintained by the secretary of state, a notice of the lien provided for in section 57-39.2-12, takes free of, or has priority over, the lien.~~
4. The ~~secretary of state~~ commissioner shall ~~enter index~~ in the central ~~indexing~~ notice system the following data, ~~under the names of taxpayers, arranged alphabetically:~~
  - a. The name of the taxpayer.
  - b. The tax identification number or social security number of the taxpayer.
  - c. The name "State of North Dakota" as claimant.
  - e. ~~d.~~ Time The date and time the notice of lien was received indexed.
  - d. ~~Date of notice.~~
  - e. Amount The amount of the lien then due.
  - f. ~~When satisfied.~~

~~The secretary of state shall endorse on each notice of lien the day, hour, and minute when received and preserve the same, and shall index the notice in the central indexing system and the~~ The notice of lien is effective from the time of indexing as of eight a.m. next following the indexing of the notice. Any notice of lien filed by the commissioner with a register of deeds before July 1, 1996, may be refiled with the secretary of state indexed in the central notice system without changing its original priority as to property in the county where the lien was filed.

5. The commissioner is exempt from the payment of the filing fees as otherwise provided by law for the ~~filing~~ indexing of the notice of lien, or for its satisfaction.

6. Upon ~~the payment of a the tax as to which the commissioner has filed indexed notice with the secretary of state in the central notice system, the commissioner shall file with the secretary of state index a satisfaction of the tax and the secretary of state shall enter the satisfaction on the notice on file and indicate that fact~~ lien in the central indexing notice system.

**SECTION 5. AMENDMENT.** Subsections 3, 4, 5, and 6 of section 57-40.2-16 of the 1995 Supplement to the North Dakota Century Code are amended and reenacted as follows:

3. ~~In order to preserve the lien against subsequent mortgagees, purchasers, or Any mortgagee, purchaser, judgment creditors, for value and without notice of the lien, creditor, or lien claimant acquiring any interest in, or lien on, any property situated in the state, prior to the commissioner shall file with filing in the central notice system maintained by the secretary of state, a notice of the lien provided for in this section, takes free of, or has priority over, the lien.~~
4. The ~~secretary of state~~ commissioner shall enter index in the central indexing notice system the following data, ~~under the names of taxpayers, arranged alphabetically:~~
  - a. The name of the taxpayer.
  - b. The tax identification number or social security number of the taxpayer.
  - c. The name "State of North Dakota" as claimant.
  - ~~e.~~ d. Time The date and time the notice of lien was received indexed.
  - ~~d. Date of notice.~~
  - e. ~~Amount~~ The amount of the lien then due.
  - f. ~~When satisfied.~~

~~The secretary of state shall endorse on each notice of lien the day, hour, and minute when received and preserve the same, and shall index the notice in the central indexing system, and the~~ The notice of lien is effective from the time of indexing as of eight a.m. next following the indexing of the notice. Any notice of lien filed by the commissioner with a register of deeds before July 1, 1996, may be refiled with the secretary of state indexed in the central notice system without changing its original priority as to property in the county where the lien was filed.

5. The commissioner is exempt from the payment of the recording and filing fees as otherwise provided by law for the ~~recording and filing~~ indexing of the notice of lien, or for its satisfaction.
6. Upon ~~the payment of a the tax as to which the commissioner has filed indexed notice with the secretary of state in the central notice system, the commissioner shall file with the secretary of state index a satisfaction of the tax and the secretary of state shall enter the satisfaction on the notice on file and indicate that fact~~ lien in the central indexing notice system.

**SECTION 6. AMENDMENT.** Subsections 2, 3, and 4 of section 57-40.3-07.1 of the 1995 Supplement to the North Dakota Century Code are amended and reenacted as follows:

2. ~~In order to preserve the lien against subsequent mortgagees, purchasers, or Any mortgagee, purchaser, judgment creditors, for value and without notice of the lien, creditor, or lien claimant acquiring any interest in, or lien on, any property situated in the state, prior to the commissioner shall file with filing in the central notice system maintained by the secretary of state, a notice of the lien provided for in this section, takes free of, or has priority over, the lien.~~
3. The ~~secretary of state~~ commissioner shall enter index in the central indexing notice system the following data, ~~under the names of taxpayers, arranged alphabetically:~~
  - a. The name of the taxpayer.
  - b. The tax identification number or social security number of the taxpayer.
  - c. The name "State of North Dakota" as claimant.
  - e. ~~d.~~ The date and time the notice of lien was received indexed.
  - d. ~~The date of notice.~~
  - e. The amount of the lien ~~then due.~~
  - f. ~~When satisfied.~~

~~The secretary of state shall endorse on each notice of lien the day, hour, and minute received and preserve and index the notice in the central indexing system, and the~~ The notice of lien is effective from the time of the indexing as of eight a.m. next following the indexing of the notice. Any notice of lien filed by the commissioner with a register of deeds ~~before July 1, 1996, may be refiled with the secretary of state indexed in the central notice system without changing its original priority as to property in the county where the lien was filed. The commissioner is exempt from the payment of fees otherwise provided by law for the filing indexing or the satisfaction of the lien.~~

4. Upon the payment of a the tax relative to which the commissioner has filed indexed notice ~~with the secretary of state in the central notice system,~~ the commissioner shall file ~~with the secretary of state~~ index a satisfaction of the tax, and the secretary of state shall enter the satisfaction on the notice on file and indicate that fact lien in the central indexing notice system.

**SECTION 7. AMENDMENT.** Subsections 3, 4, and 6 of section 57-43.1-17.4 of the 1995 Supplement to the North Dakota Century Code are amended and reenacted as follows:

3. ~~To preserve the lien against subsequent mortgagees, purchasers, or Any mortgagee, purchaser, judgment creditors, for value and without notice of the lien, creditor, or lien claimant acquiring any interest in, or lien on, any property situated in a county the state, prior to the commissioner shall file a notice of the lien with filing in the central notice system maintained by the secretary of state, a notice of the lien provided for in this section, takes free of, or has priority over, the lien.~~
4. The ~~secretary of state~~ commissioner shall enter index in the central indexing notice system the following data, ~~under the names of taxpayers, arranged alphabetically:~~

- a. The name of the taxpayer.
- b. The tax identification number or social security number of the taxpayer.
- c. The name "State of North Dakota" as claimant.
- e- d. The date and time the notice of lien was ~~received~~ indexed.
- d- ~~The date of notice.~~
- e. The amount of the lien ~~then due~~.
- f. ~~The date of satisfaction.~~

~~The secretary of state shall endorse on each notice of lien the day, hour, and minute when received and preserve the same, and shall index the notice in the central indexing system and the~~ The notice of lien is effective from the time of indexing as of eight a.m. next following the indexing of the notice. Any notice of lien filed by the commissioner with a register of deeds ~~before July 1, 1996, may be refiled with the secretary of state indexed in the central notice system without changing its original priority as to property in the county where the lien was filed.~~

- 6. Upon payment of a the tax as to which the commissioner has filed indexed notice ~~with the secretary of state in the central notice system, the commissioner shall file with the secretary of state index a satisfaction of tax and the secretary of state shall enter the satisfaction on the notice on file and indicate the fact on the lien in the central indexing notice system.~~

**SECTION 8. AMENDMENT.** Subsections 3, 4, and 6 of section 57-43.2-16.3 of the 1995 Supplement to the North Dakota Century Code are amended and reenacted as follows:

- 3. ~~To preserve the lien against subsequent mortgagees, purchasers, or Any mortgagee, purchaser, judgment creditors, for value and without notice of the lien, creditor, or lien claimant acquiring any interest in, or lien on, any property situated in a county the state, prior to the commissioner shall file a notice of the lien with filing in the central notice system maintained by the secretary of state a notice of the lien provided for in this section, takes free of, or has priority over, the lien.~~
- 4. The ~~secretary of state~~ commissioner shall enter index in the central indexing notice system the following data, ~~under the names of taxpayers, arranged alphabetically:~~
  - a. The name of the taxpayer.
  - b. The tax identification number or social security number of the taxpayer.
  - c. The name "State of North Dakota" as claimant.
  - e- d. The date and time the notice of lien was ~~received~~ indexed.
  - d- ~~The date of notice.~~
  - e. The amount of the lien ~~then due~~.
  - f. ~~The date of satisfaction.~~

~~The secretary of state shall endorse on each notice of lien the day, hour, and minute when received and preserve the same, and shall index the notice in the central indexing system and the~~ The notice of lien is effective ~~from the time of indexing~~ as of eight a.m. next following the indexing of the notice. Any notice of lien filed by the commissioner with a register of deeds ~~before July 1, 1996, may be refiled with the secretary of state indexed in the central notice system without changing its original priority as to property in the county where the lien was filed.~~

6. Upon payment of a the tax as to which the commissioner has ~~filed~~ indexed notice ~~with the secretary of state in the central notice system,~~ the commissioner shall ~~file with the secretary of state~~ index a satisfaction of ~~tax~~ and the secretary of state shall enter the satisfaction on the notice on file and indicate the fact the lien in the central indexing notice system."

Renumber accordingly