

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2272

Introduced by

Senators Solberg, Kinnoin, Sand

Representatives Aarsvold, D. Johnson, Nelson

1 A BILL for an Act to create and enact a new subsection to section 41-09-46 of the North Dakota
2 Century Code, relating to termination of security interests under the central notice system; to
3 amend and reenact sections 35-17-08, 35-30-06, and 35-31-06 of the North Dakota Century
4 Code, relating to termination of statutory liens filed under the central notice system; and to
5 provide a penalty.

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

7 **SECTION 1. AMENDMENT.** Section 35-17-08 of the 1995 Supplement to the North
8 Dakota Century Code is amended and reenacted as follows:

9 **35-17-08. Fees - Penalty.** The fee for filing an agister's lien with the secretary of state
10 or the county register of deeds is five dollars. The fee for filing a termination statement is five
11 dollars. The termination fee must be paid at the time the fee for filing the lien is paid. The fee
12 for filing an amendment or assignment of an agister's lien is five dollars. If a lienholder fails to
13 file a termination statement within sixty days after the lien is removed, the lienholder is liable to
14 the debtor for fifty dollars for the lienholder's first violation and one hundred dollars for each
15 subsequent violation.

16 **SECTION 2. AMENDMENT.** Section 35-30-06 of the 1995 Supplement to the North
17 Dakota Century Code is amended and reenacted as follows:

18 **35-30-06. Fees - Penalty.** The fee for filing an agricultural processor's lien with the
19 secretary of state or the county register of deeds is five dollars. The fee for filing a termination
20 statement is five dollars. The termination fee must be paid at the time the fee for filing the lien
21 is paid. The fee for filing an amendment or assignment of an agricultural processor's lien is five
22 dollars. If a lienholder fails to file a termination statement within sixty days after the lien has
23 been removed, the lienholder is liable to the debtor for fifty dollars for the lienholder's first
24 violation and one hundred dollars for each subsequent violation.

1 **SECTION 3. AMENDMENT.** Section 35-31-06 of the 1995 Supplement to the North
2 Dakota Century Code is amended and reenacted as follows:

3 **35-31-06. Fees - Penalty.** The fee for filing an agricultural supplier's lien with the
4 secretary of state or the county register of deeds is five dollars. The fee for filing a termination
5 statement is five dollars. The termination fee must be paid at the time the fee for filing the lien
6 is paid. The fee for filing an amendment or assignment of an agricultural supplier's lien is five
7 dollars. If a lienholder fails to file a termination statement within sixty days after the lien has
8 been removed, the lienholder is liable to the debtor for fifty dollars for the lienholder's first
9 violation and one hundred dollars for each subsequent violation.

10 **SECTION 4.** A new subsection to section 41-09-46 of the 1995 Supplement to the
11 North Dakota Century Code is created and enacted as follows:

12 If an affected secured party, or lienholder pursuant to section 35-17-04, 35-30-02,
13 or 35-31-02, fails to file a termination statement within sixty days after the secured
14 party no longer claims a security interest under the financing statement, the
15 secured party is liable to the debtor for fifty dollars for the secured party's first
16 violation and one hundred dollars for each subsequent violation.