

HOUSE BILL NO. 1304
with Senate AmendmentsSixtieth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1304

Introduced by

Representatives N. Johnson, Dietrich

Senator Klein

1 A BILL for an Act to amend and reenact sections 35-17-08, 35-30-06, 35-31-06, and 41-09-96
2 of the North Dakota Century Code, relating to certain lien and secured transaction filing fees.

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

4 **SECTION 1. AMENDMENT.** Section 35-17-08 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **35-17-08. Fees - Penalty.** The fee for filing an agister's lien and related documents
7 with the secretary of state or the county recorder is ~~ten dollars. The fee for filing a termination~~
8 ~~statement is five dollars. The termination fee must be paid at the time the fee for filing the lien~~
9 ~~is paid. The fee for filing an amendment or assignment of an agister's lien is ten dollars the~~
10 same as that provided for in section 41-09-96. If a lienholder fails to file a termination
11 statement within sixty days after the lien ~~is~~ has been satisfied, the lienholder is liable to the
12 debtor for one hundred dollars.

13 **SECTION 2. AMENDMENT.** Section 35-30-06 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **35-30-06. Fees - Penalty.** The fee for filing an agricultural processor's lien and related
16 documents with the secretary of state or the county recorder is ~~ten dollars. The fee for filing a~~
17 ~~termination statement is five dollars. The termination fee must be paid at the time the fee for~~
18 ~~filing the lien is paid. The fee for filing an amendment or assignment of an agricultural~~
19 ~~processor's lien is ten dollars the same as that provided for in section 41-09-96.~~ If a lienholder
20 fails to file a termination statement within sixty days after the lien has been satisfied, the
21 lienholder is liable to the debtor for one hundred dollars.

22 **SECTION 3. AMENDMENT.** Section 35-31-06 of the North Dakota Century Code is
23 amended and reenacted as follows:

1 **35-31-06. Fees - Penalty.** The fee for filing an agricultural supplier's lien and related
2 documents with the secretary of state or the county recorder is ~~ten dollars. The fee for filing a~~
3 ~~termination statement is five dollars. The termination fee must be paid at the time the fee for~~
4 ~~filing the lien is paid. The fee for filing an amendment or assignment of an agricultural~~
5 ~~supplier's lien is ten dollars~~ the same as that provided for in section 41-09-96. If a lienholder
6 fails to file a termination statement within sixty days after the lien has been satisfied, the
7 lienholder is liable to the debtor for one hundred dollars.

8 **SECTION 4. AMENDMENT.** Section 41-09-96 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **41-09-96. (9-525) Fees.**

- 11 1. The fee for filing and indexing an original statement under this title, fifteen dollars
12 plus one dollar per additional page. When a nonstandard statement is presented
13 for filing, an additional fee of five dollars must be paid. An additional fee may not
14 be charged for the same statement to gain protection under the central notice
15 system.
- 16 2. The fee for filing and indexing an amendment, ~~continuation, assignment, release~~
17 including continuations, assignments, releases, or subordination correction
18 statements under this title, ten dollars plus one dollar per additional page. An
19 additional fee may not be charged for the same document to gain protection under
20 the central notice system.
- 21 3. A fee may not be charged for responding to a request for information from the filing
22 office communicating whether there is on file any financing statement or verified
23 statement naming a particular debtor.
- 24 4. The fee for a filing office providing information on specific filings on a particular
25 debtor, ~~including listing up to four lines of collateral covered by each filing,~~ is seven
26 dollars per debtor for the first five entries, plus two dollars for each additional five
27 entries or fraction thereafter.
- 28 5. The fee for a filing office providing copies of each filing for a particular debtor is
29 seven dollars per debtor plus two dollars per page for each page over three pages.
- 30 6. The fee for a filing office providing certified copies of filings on a particular debtor is
31 seven dollars plus one dollar per page for attachments.

- 1 7. For furnishing copies only of a filed instrument, one dollar per printed page.
- 2 8. Any fees collected by the secretary of state pursuant to this chapter must be
- 3 deposited in the general fund in the state treasury, except the fees collected under
- 4 subsection 6 of section 41-09-94, must be deposited in the secretary of state's
- 5 general services operating fund.