

House Political Subdivisions Committee

March 20, 2025

By: Carrie K. Krause, Wells County Recorder

RE: SB 2259 Relating to the provisions of
blanks and records

Good Morning Chairman Longmuir and Committee Members.

For the record I am Carrie Krause, Wells County Recorder. Thank you for allowing me to stand before you today to speak in support of SB 2259

SB 2259 is a repeal of section 44-04-16.

Not until last spring did the Recorders even know this section existed. I had a gentleman come into my office and ask for a deed form. I explained to him that I didn't hold any of these types of forms in my office. Also, that I had no idea even what deed form he would need as there are many different types of deeds. He advised me on section **44-04-16** which states

44-04-16. Officer to provide blanks and records for office.

Each county, city, township, or school district officer shall provide, at the expense of the county, city, township, or school district, as the case may be, such blanks and records as are necessary for making proper records and for transacting any official business connected with the office.

It would almost be impossible for the Recorders hold every type of form necessary to make proper records for our office as our main task for transacting official business is to record real estate documents. I alone in my office have well over 200 document types that I record in my real estate records.

We are not attorneys and cannot give out legal advice and by telling them which form to use for the type of document they need to record would be giving them legal advice. Giving out the wrong type of deed form or any form for that matter may cause unintended consequences such as them having to clean up title, as the document didn't do what they intended it to do or may even be a product of property fraud. This is why we suggest to our customers they seek legal advice on what type of document they need for their situation.

This will not interfere with applications for marriage licenses as we need that application information in order to issue those licenses. Also, some Recorders accept passport applications and we have to have those in office in order to complete and send them in.

I have had questions on how birth certificates or death certificates, will they be affected in our office by this bill – we do not issue those documents as only the ND Department of Health and Human Services State Registrar of Vital Statistics can issue those certificates.

For these reasons I ask for a DO PASS recommendation on SB 2259

Thank you again for your time and consideration.

With that I will stand for any questions.