

Testimony Prepared for the  
House Government and Veterans Affairs Committee  
February 6, 2025  
By: Missy Hanson, Burleigh County Recorder

RE: HB1306 Relating to the  
fees assessed for open records requests

My name is Missy Hanson, and I am the Burleigh County Recorder. Thank you for the opportunity to submit written testimony in opposition of HB1306. This bill would amend and reenact subsection 2 of N.D.C.C. 44-04-18 to allow one open records request per year, per North Dakota (ND) citizen, free of charge for up to 40 hours. The current fee for a search is \$25/hr. after the first hour.

I am not in favor of HB1306 for the following reasons:

In Burleigh County in the last ten years, we have recorded an average of 17,350 documents a year. In my office we are also responsible for issuing Marriage Licenses as well as being acceptance agents for Passport applications.

North Dakota has 50 of their 53 counties that are members of the North Dakota Recorders Information Network (NDRIN). NDRIN allows people to search the records of those 50 counties 24/7 for a very minimal fee. NDRIN has two different options. There is what they call a "Day Pass" which allows the constituent 24 hours to search the records of those 50 counties and allows copies to be made for the normal copy fee (\$1 per page), or they have a "Monthly Subscription" as well. The Day Pass is a fee of \$7 and the Monthly Subscription is \$30. To my understanding the other three counties that are not members of NDRIN have their own search tools for their records as well.

With being the second largest county in North Dakota, I only have myself and three staff members to do all the services that the Burleigh County Recorder's Office provides. If we were to add up to 40 hours of searching per ND citizen, this would create a large hardship to my office. I feel that we would need to hire additional staff on the dime of the taxpayers of my county and know that this would not be well received. We are ultimately trying to cut taxes, not raise them. There are many County Recorders that hold other offices as well, and many County Recorder's Offices that have one or two employees in the office. There would simply just not be enough staff to fulfill their daily duties as well as be required to do 40 hours of searching on top of that. I feel that this could potentially cause our Recorders to fall behind with their duties as Recorder.

I am also concerned that if in our searching, we missed a record that may be of importance to the requester, who would be liable as we are not insured like a title company, land men or attorneys. We have our records available on NDRIN (24/7), and during office hours for people to research, so we are not withholding any records from them, but by doing this type of searching, we would be doing their work for them, and not doing the work that we were hired to do by the county we work for.

For these reasons I ask that you to not pass HB1306.

Thank you again for your time and consideration.