

Sixty-third  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2128

Introduced by

Senators Klein, Wanzek

Representatives Dockter, Pollert, Oversen

1 A BILL for an Act to amend and reenact subdivision c of subsection 1 of section 11-18-05,  
2 section 24-01-25, and subsection 2 of section 35-24-13 of the North Dakota Century Code,  
3 relating to fees and notice requirements of the county recorder; to repeal section 35-22-19 of  
4 the North Dakota Century Code, relating to a failure to record in a foreclosure; and to provide  
5 for a legislative management study.

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

7 **SECTION 1. AMENDMENT.** Subdivision c of subsection 1 of section 11-18-05 of the North  
8 Dakota Century Code is amended and reenacted as follows:

9 c. ~~Plats, irregular tracts, or annexations, ten dollars for one lot plus ten cents for~~  
10 ~~each additional lot, with the exception of auditor's lots which must be a single~~  
11 ~~charge of sevenfifty dollars.~~

12 **SECTION 2. AMENDMENT.** Section 24-01-25 of the North Dakota Century Code is  
13 amended and reenacted as follows:

14 **24-01-25. Fees not charged for recording instruments.**

15 ~~No fees~~The county auditor may be charged or collected by the county auditor not charge or  
16 collect from the state of North Dakota, the recorder, or the clerk of court for any services  
17 rendered for the recording or filing of any document required under ~~the provisions of this~~  
18 ~~chapter 177 of the 1953 Session Laws.~~

19 **SECTION 3. AMENDMENT.** Subsection 2 of section 35-24-13 of the North Dakota Century  
20 Code is amended and reenacted as follows:

21 2. Upon the filing of such bond, the ~~recorder~~individual or entity that posted the bond shall  
22 send a notice thereof, together with a copy of the bond, to all obligees named therein,  
23 by registered or certified mail addressed to such obligees at the address set forth in  
24 their respective claims for lien.

1       **SECTION 4. REPEAL.** Section 35-22-19 of the North Dakota Century Code is repealed.

2       **SECTION 5. LEGISLATIVE MANAGEMENT STUDY - BANK OF NORTH DAKOTA'S**

3 **FORECLOSURE PROCEDURES.** During the 2013-14 interim, the legislative management may

4 study the Bank of North Dakota's foreclosure procedures, specifically foreclosure by

5 advertisement. The legislative management shall report its findings and recommendations,

6 together with any legislation required to implement the recommendations, to the sixty-fourth

7 legislative assembly.