

Senate State and Local Government Committee

January 31, 2025

By: Carrie K. Krause, Wells County Recorder

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

Good Morning Chairwoman Roers 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 to have 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, the document didn't do what they intended it to do or even property fraud. This is why we suggest to our customers they seek legal advice on what type of document they need for their situation.

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.