

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

309M0098

HOUSE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **HB 1068** - 01/24/2006

Introduced by: Representatives Dykstra, Hargens, and Rounds and Senators Bartling and Gray

1 FOR AN ACT ENTITLED, An Act to require the names of certain parties to be listed in
2 instruments recorded by the register of deeds.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 7-9-7 be amended to read as follows:

5 7-9-7. No register of deeds may accept for record in ~~his~~ the office of the register of deeds:

6 (1) Any deed, affidavit terminating joint tenancy or life estate interests, or oil, gas, or
7 other mineral lease that does not include the names of the grantor and the grantee or
8 the lessor and the lessee, the names of the joint tenant, the post office address of the
9 grantee or lessee, and a legal description of the property conveyed or leased;

10 (2) Any mortgage ~~which that~~ does not include the names of the mortgagor and the
11 mortgagee, the post office address of the mortgagee, a legal description of the
12 property, and the amount of the mortgage and when it is due;

13 (3) Any assignment of mortgage or oil, gas, or other mineral lease ~~which that~~ does not
14 include the names of the assignor and the assignee, the post office address of the
15 assignee, and a legal description of the property; or



1 (4) Any deed or contract for deed dated after July 1, 1988, used in the purchase,
2 exchange, transfer, or assignment of interest in real property ~~which~~ that is not
3 accompanied by a certificate of value containing; the name and address of the buyer
4 and seller, the legal description of the real property, the actual consideration
5 exchanged for the real property, the relationship of the seller and buyer, if any, and
6 the terms of payment if other than payment in full at the time of sale.