

1 HB455  
2 118207-3  
3 By Representative Taylor  
4 RFD: County and Municipal Government  
5 First Read: 26-JAN-10

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ENROLLED, An Act,

To amend Section 12-13-22, Code of Alabama 1975; to require that a person recording certain documents with the probate office redact, remove, or otherwise make illegible a Social Security number or birthdate appearing on marriage licenses or other documents, including military discharge forms, filed as a public record; to authorize the judge of probate to redact, remove, or otherwise make illegible a Social Security number or birthdate appearing on marriage licenses or other documents, including military discharge forms, filed as a public record.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 12-13-22, Code of Alabama 1975, is amended to read as follows:

"§12-13-22.

"(a) Before recording any document, with the exception of federal and state tax liens, as public record with the probate court that conveys any interest in real or personal property or purports to encumber an interest in real or personal property, or any other document, including military discharge forms, that is filed as a public record in the probate court, the person submitting the document for recordation shall redact, remove, or otherwise make illegible any Social Security number appearing in the document. Removal

1 of the Social Security number shall be a condition to filing  
2 the document.

3 "(b) Before recording any document, with the  
4 exception of federal and state tax liens, as public record  
5 with the probate court that conveys any interest in real or  
6 personal property or purports to encumber an interest in real  
7 or personal property, the person submitting the document for  
8 recordation shall redact, remove, or otherwise make illegible  
9 any birthdate if it appears in the document in connection with  
10 a person's name unless the birthdate is required by law to be  
11 included in the document or is a necessary part of the  
12 document.

13 "(c) The judge of probate, in accordance with this  
14 section, may redact, remove, or otherwise make illegible a  
15 Social Security number or birthdate appearing in connection  
16 with a person's name that appears in any document, with the  
17 exception of federal and state tax liens, that conveys any  
18 interest in real or personal property or purports to encumber  
19 an interest in real or personal property and is recorded in  
20 the probate court, or any other document, including military  
21 discharge forms, that is filed as a public record in the  
22 probate court. Notwithstanding the foregoing, dates of birth  
23 shall not be redacted, removed, or otherwise made illegible on  
24 marriage certificates.

1           "The judge of probate may make such records  
2 available to the public in electronic format and publish such  
3 records on the Internet.

4           "(d) To the extent federal law conflicts with this  
5 section, an instrument shall contain the information required  
6 by and shall be filed in a manner that complies with federal  
7 law.

8           "(e) The failure to comply with the requirements of  
9 this section shall not invalidate or adversely affect any  
10 document which is recorded even though that document does not  
11 comply with the requirements of this section."

12           Section 2. This act shall become effective  
13 immediately following its passage and approval by the  
14 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 06-APR-10, as amended.

Greg Pappas  
Clerk

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Senate

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21-APR-10

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Passed