

DOCUMENT FORMAT STANDARDS

EFFECTIVE JULY 1, 2012

Any real estate document recorded with the register of deeds, except for plats, shall:

- (1) Consist of one or more individual sheets measuring no larger than 8.5 inches by 14 inches and no smaller than 8.5 inches by 11 inches. No sheet may be attached or affixed to a page that covers up any information or printed material on the document.
- (2) Be printed, typewritten, or computer generated in black ink and the print type of the document may not be smaller than 10-point type. However, dates, notary acknowledgments, signatures and other items may be completed in black or blue ink if the document is predominately completed in black ink and if the items that are completed in blue ink are sufficiently dark to meet the requirements of subdivision (6);
- (3) Be on white paper of not less than twenty pound weight;
- (4) Contain a blank space at the top measuring no less than three inches as measured from the top of the first page. The right half shall be used by the register of deeds for recording information and the left half shall be used by the document preparer as required pursuant to §7-9-1 and may include other document information. All other margins shall be a minimum of one inch;
- (5) Have title prominently displayed at the top of the first page below the blank space referred to in subdivision (4) of this section;
- (6) Be sufficiently legible to reproduce a readable copy using the register of deed's current method of reproduction.

Any document that does not conform to the requirements of subdivisions (1) to (5), inclusive, has the same effect as conforming documents for all recording purposes, including establishing priority. Any affidavit of publication, corner record, survey, certified court or governmental document, and UCC form recorded against real estate is exempt from the provisions of this section. Any plat or survey and certified vital record attached to documents is also exempt from the provisions of this section.

The provisions of this section do not apply to any real estate document prepared and executed prior to July 1, 2002.

NOTICE

Effective July 1, 2010

Pursuant to South Dakota Codified Laws 43-28-24 through 43-28-28:

The preparer of a document or instrument may not include an individual's personally identifiable information in any document or instrument that is prepared and presented for recording in the county office of the register of deeds. This section does not apply to any document or instrument that was executed by an individual prior to July 1, 2010.

These provisions do not apply to a state or federal tax lien or release relating to a state or federal tax lien, a military separation or discharge record, a uniform commercial code filing in the county office of the register of deeds or any governmental certified copy of a document or instrument.

Terms used in this Act mean:

- (1) "Personally identifiable information," any information that includes one or more of the following specific unique identifiers when combined with an individual's name:
 - a. A social security number. This term does not, however, include the last four digits of a social security number.
 - b. Checking, savings, or share account number; or
 - c. Credit, debit, or charge card number;
- (2) "Preparer," any person who creates, drafts, edits, revises, or changes the document or instrument that is recorded with the register of deeds. The term, preparer, does not include any person who hires, requires, refers, pays, or requests that the document or instrument be drafted or recorded.

The register of deeds may not reject a document or instrument presented for recording solely because the document or instrument fails to comply with SDCL 43-28-24 to 43-28-28.