

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 313

Short Title: Identify Loan Originator on Deed of Trust. (Public)

Sponsors: Representatives Church, Carney (Primary Sponsors); Coleman, Current, Dickson, Faison, Spear, and Weiss.

Referred to: Financial Institutions, if favorable, Judiciary I.

February 22, 2007

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT THE IDENTITY OF THE LOAN ORIGINATOR BE DISCLOSED ON THE DEED OF TRUST.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 47-17.1 reads as rewritten:

"§ 47-17.1. Documents registered or ordered to be registered in certain counties to designate ~~draftsman~~; draftsman and others involved in the transaction; exceptions.

(a) The register of deeds of any county in North Carolina shall not accept for registration, nor shall any judge order registration pursuant to G.S. 47-14, of any deeds or deeds of trust, executed after January 1, 1980, unless the first page of the deeds or deeds of trust bears an entry showing the name of either the person or law firm who drafted the instrument, except that papers or documents prepared in other states may be registered or ordered to be registered without having the name of either the person or law firm who drafted the instrument designated thereon.

(b) The register of deeds of any county in North Carolina shall not accept for registration a deed of trust, executed after January 1, 2008, unless the first page of the deed of trust bears an entry showing the name of the person who originated the loan. If the loan originator was a mortgage broker or loan officer licensed under Article 19A of Chapter 53 of the General Statutes, the entry shall include the individuals' license numbers. It shall be the duty of the settlement agent to ensure that the information required by this subsection is included on the first page of the deed of trust prior to submission for registration. This subsection shall not apply to a deed of trust executed outside of this State."

SECTION 2. This act is effective when it becomes law.