

House Research Act Summary

CHAPTER: 210

SESSION: 2012 Regular Session

TOPIC: Fraudulent/improper financing statements (bogus liens)

Date: April 25, 2012

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Under section 609.7475, it is a gross misdemeanor: (1) to knowingly file a record that is not related to a valid lien or security agreement or that contains or is based on a forged signature; or (2) to file a commercial record with intent that it be used to harass or defraud another person. An enhanced five-year felony penalty applies if the offense is committed with intent to retaliate against a judicial officer, prosecutor, defense attorney, or officer of the court.

The act extends the enhanced five-year felony to include a offenses committed with intent to retaliate against a sheriff, deputy sheriff, or county recorder because of that person's duties in connection with a sheriff's sale or filing of liens regarding real property.

(Background: In 2009 and 2010, a husband and wife allegedly filed \$114 billion worth of bogus liens against numerous public officials and attorneys associated with foreclosure proceedings involving the couples' home.)