

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 2373

DATE: February 28, 2012

Version: As introduced

Authors: Cornish and others

Subject: Fraudulent/improper financing statements

Analyst: Rebecca Pirius, 651-296-5044

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

Overview

Under section 609.7475, it is a crime to knowingly file a record that is not related to a valid lien or security agreement or that contains a forged signature or is based on a document with a forged signature. It is also a crime to file a record with intent that it be used to harass or defraud another person. The definition of record is contained in article 9 of the Uniform Commercial Code.

The bill extends the five-year felony penalty to include a crime 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. (The five-year felony currently applies to retaliation against judicial officers, prosecutors, defense attorneys, and officers of the court.)