AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE RECORDATION OF INSTRUMENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 96, Title 9 of the Delaware Code by adding a new section “§9627” thereto as follows:

“§ 9627. Redaction of Information.

(a) The Recorder for each county shall be authorized to establish administrative procedures to allow a party who has previously been a signatory on an instrument for recordation to request that the Recorder redact personal identifying information. Personal identifying information shall include: bank and credit card account numbers, the first five digits of a social security number, official State or government issued driver’s license or identification numbers, alien registration numbers, government passport numbers and employer or taxpayer identification numbers. A person requesting redaction must provide information sufficient to enable the Recorder to identify the document to be redacted and verify that the requesting party or parties are the same person or persons named on the previously recorded instrument.

(b) Personal identifying information shall not include information essential to the purposes of public recordation, such as party names, property information including property description, parcel number, parcel address or mailing address. A Recorder, in consultation with the County Attorney in each respective county, shall be authorized to determine whether information is essential to the purposes of public recordation and thereby not subject to redaction.

(c) The Recorder of Deeds for New Castle County, Kent County and Sussex County shall have no liability for failure to redact personal identifying information.”.

Section 2. This Act shall take effect upon enactment.

Approved July 08, 2009