

CHAPTER NO. 576

HOUSE BILL NO. 2547

By Representative Fowlkes

Substituted for: Senate Bill No. 2380

By Senator Haynes

AN ACT to amend Tennessee Code Annotated, Title 13 and Title 66, relative to the filing, registration and recording of documents in the office of the county register.

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

SECTION 1. Tennessee Code Annotated, Section 66-22-101, is amended by deleting the current language in its entirety and substituting instead the following:

Unless otherwise provided by law, to authenticate an instrument or document for registration or recording in the office of the county register, the maker or the natural person acting on behalf of the maker shall execute the instrument or document by that person's original signature and such signature shall be either acknowledged according to law or proved by at least two (2) subscribing witnesses. The county register may refuse to record any instrument or document not authenticated in accordance with this section.

SECTION 2. Tennessee Code Annotated, Section 13-3-402, is amended by deleting from subsection (c) the following language and punctuation:

“ , and any county register so doing commits a Class A misdemeanor”

SECTION 3. Tennessee Code Annotated, Section 13-4-302, is amended by deleting subdivision (c)(2).

SECTION 4. Tennessee Code Annotated, Section 66-24-101, is amended by adding the following as a new, appropriately designated subsection:

(c) The county register may refuse to register any writing eligible for registration in accordance with the provisions of this title if this writing is wholly or substantially written in any language other than English unless the person seeking to register the writing attaches an affidavit in which the affiant gives a complete translation of the writing offered for registration into English. The affidavit shall be recorded with the original writing and the original writing and its attached affidavit shall be treated as one instrument for recording purposes.

SECTION 5. This act shall take effect on July 1, 2004, the public welfare requiring it.

PASSED: April 12, 2004


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 30th day of April 2004


PHIL BREDESEN, GOVERNOR