



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2005 Wisconsin Act 139**  
[2005 Assembly Bill 536]

**Recording Instruments That  
Contain a Social Security Number**

*2005 Wisconsin Act 139* generally prohibits a Register of Deeds from recording any instrument offered for recording if the instrument contains the Social Security number of an individual. The Act expressly provides that if a Register of Deeds is presented with an instrument for recording that contains an individual Social Security number, the Register of Deeds may, before recording the instrument, remove or obscure characters from the Social Security number so that the number is not discernible on the instrument. Further, if the Register of Deeds records an instrument but does not discover that the instrument contains an individual Social Security number until after the recording, the Register of Deeds may not be held liable for the instrument drafter's placement of the Social Security number on the instrument and the Register of Deeds may remove or obscure characters from the Social Security number so that the number is not discernible on the instrument.

Under the Act, if a Register of Deeds records an instrument that contains the complete Social Security number of an individual, the instrument drafter is liable to the individual whose Social Security number appears in the recorded public document for any actual damages resulting from the instrument being recorded.

The Act generally does not apply to a federal income tax lien, to state vital records under subch. 1 of ch. 69, Stats., or to certificates of military discharge or release recorded under s. 45.05, Stats.

**Effective Date:** Wisconsin Act 139 became effective March 31, 2006.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.