

336A.031 SATELLITE OFFICES.

Subdivision 1. **Authority to establish.** The secretary of state may establish satellite offices by written agreements with public officials within the state for the purpose of meeting the filing officer responsibilities described in this chapter. The terms of the agreement must be set by, and may be renewed by, mutual agreement. The agreement may be terminated upon 60 days' notice. The secretary must maintain a list of those public officials authorized to act as satellite offices. The secretary of state must make this list available in an electronic format and the list must be updated at least monthly.

Subd. 2. **Duties.** Satellite offices must accept effective financing statements and lien notices and respond to requests for information pursuant to the provisions of this chapter. A filing made at a satellite office is filed and effective at the same time and under the same rules provided for filing in any other manner in the computerized filing system. The filing date, time, and file number for any effective financing statement or lien notice accepted at a satellite office must be automatically assigned by the computerized filing system operated by the secretary of state, and the file number must be the next available file number in the computerized filing system.

Subd. 3. **Filings on or after July 1, 2001.** This subdivision applies to all effective financing statements and lien notices filed on or after July 1, 2001. The secretary of state shall maintain all effective financing statements and lien notices and the database used to index them regardless of where or how the statement or notice was filed. The documents and database must be housed in the computerized filing system. These documents and data must be available from the secretary of state or any satellite office. Any filing office authorized to be a part of the computerized filing system may respond to requests for information, and the secretary of state shall establish and administer a system to facilitate those responses.

Subd. 4. **Filings before July 1, 2001.** This subdivision applies to all effective financing statements and lien notices filed before July 1, 2001. The database containing the information from the effective financing statements and lien notices must be housed in the computerized filing system.

Subd. 5. **Performance of filing officers.** (a) All filing officers must perform the responsibilities required under this chapter and rules adopted pursuant to this chapter in a uniform manner, whether services are provided by the secretary of state or at a satellite office location. Reports by citizens describing concerns with performance of filing officer responsibilities must be made to the secretary of state. The secretary of state is responsible for responding to reports about performance in a manner the secretary of state determines is appropriate.

(b) If, upon investigation of citizen reports described in subdivision 1, the secretary of state determines that performance by a satellite office of the filing officer responsibilities has been so unsatisfactory that customer service has been severely impaired, the secretary of state must terminate the satellite office's status and ability to perform filing office responsibilities. If a satellite office's ability to perform filing office responsibilities is terminated by the secretary of state, the change in status must be posted in the former satellite office and must also be publicly posted in the county courthouse in the county in which the former satellite office is located and must be made available in an electronic format.

Subd. 6. **Record retention.** Once the image of a paper record has been captured by the computerized filing system, the secretary of state may remove or direct the removal from the files and destroy the paper record.

History: *2004 c 191 s 4*