

SECOND REGULAR SESSION

SENATE BILL NO. 794

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KLARICH.

Read 1st time January 21, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S3378.011

AN ACT

To amend chapter 28, RSMo, by adding thereto two new sections relating to state records.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 28, RSMo, is amended by adding thereto two new sections, to be known as sections 28.093 and 28.350, to read as follows:

28.093. 1. Any statement, document or notice required or permitted to be filed with or transmitted by the secretary of state, or any judicial decree requiring the filing of such document, except any document or judicial decree relating to his or her statutory or constitutional duties relating to elections, may be filed, transmitted, stored and maintained in an electronic format prescribed by the secretary of state. No statement, document or notice submitted or filed in an electronic format need be submitted or filed in duplicate. Nothing in this section shall require the secretary of state to accept or transmit any statement, document or notice in an electronic format.

2. Any statutory requirement that a statement, document or notice be signed by any person shall be satisfied by an electronically transmitted signature that is:

- (1) Unique to the person using it;**
- (2) Capable of verification;**
- (3) Under the sole control of the person using it;**
- (4) Linked to the document in such a manner that if the data are changed, the signature is invalidated; and**
- (5) Intended by the party using it to have the same force and effect as the use of a manual signature.**

3. Any requirement that a statement, document or notice filed with the secretary of state be notarized shall be satisfied by a properly authenticated digital signature. The execution of any statement, document or notice with a digital signature

pursuant to this subsection constitutes an affirmation under penalties of perjury that the facts stated therein are true and that such person or persons are duly authorized to execute such statement, document or notice or are otherwise required to file such statement, document or notice.

28.350. The secretary of state may accept credit or debit cards and establish a new revenue collection center for prepaid accounts for the payment of required taxes and fees. The secretary of state shall work with the state treasurer and the office of administration in connection with these payments. No person establishing a prepayment account pursuant to this section shall be entitled to payment of any interest on such account. Funds in prepayment accounts shall be refundable upon the order of the person or persons authorized to transfer money from such an account.

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