

By Senator Brown-Waite

10-1164-00

See HB

1                                   A bill to be entitled  
2           An act relating to electronic commerce;  
3           providing definitions; providing scope;  
4           providing for prospective application;  
5           providing for use of electronic records and  
6           signatures; providing for variation by  
7           agreement among parties using electronic  
8           records and electronic signatures; providing  
9           construction and application; providing for  
10          uniformity; providing for legal recognition of  
11          electronic records, signatures, and contracts;  
12          providing for provision of information in  
13          writing; providing for presentation of records;  
14          providing for attribution and effect of  
15          electronic records and electronic signatures;  
16          providing for the effect of changes or errors  
17          in electronic records; providing for  
18          notarization and acknowledgment; providing for  
19          retention of electronic records and originals;  
20          providing for admissibility of electronic  
21          records as evidence; providing for rules  
22          applying to automated transactions; providing  
23          for time and place of sending and receiving  
24          electronic records and signatures; providing  
25          for transferable records; providing for  
26          creation and retention of electronic records by  
27          governmental agencies; providing for conversion  
28          of written records by governmental agencies;  
29          providing for acceptance and distribution of  
30          electronic records by governmental agencies;  
31          providing for interoperability; providing

1 severability; requiring the clerks of court to  
2 provide a statewide index of official records  
3 available on the Internet by a time certain;  
4 providing for security; requiring that the  
5 Internet information shall not be admissible in  
6 court; authorizing charging a reasonable fee  
7 for certain purposes; providing that the  
8 official records must be made available for  
9 electronic retrieval on the statewide site by a  
10 time certain; providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14 Section 1. Electronic Commerce.--

15 (1) DEFINITIONS.--As used in this section:

16 (a) "Agreement" means the bargain of the parties in  
17 fact, as found in their language or inferred from other  
18 circumstances and from rules, regulations, and procedures  
19 given the effect of agreements under provisions of law  
20 otherwise applicable to a particular transaction.

21 (b) "Automated transaction" means a transaction  
22 conducted or performed, in whole or in part, by electronic  
23 means or electronic records, in which the acts or records of  
24 one or both parties are not reviewed by an individual in the  
25 ordinary course in forming a contract, performing under an  
26 existing contract, or fulfilling an obligation required by the  
27 transaction.

28 (c) "Computer program" means a set of statements or  
29 instructions to be used directly or indirectly in an  
30 information processing system in order to bring about a  
31 certain result.

1           (d) "Contract" means the total legal obligation  
2 resulting from the parties' agreement as affected by this  
3 section and other applicable provisions of law.

4           (e) "Electronic" means relating to technology having  
5 electrical, digital, magnetic, wireless, optical,  
6 electromagnetic, or similar capabilities.

7           (f) "Electronic agent" means a computer program or an  
8 electronic or other automated means used independently to  
9 initiate an action or respond to electronic records or  
10 performances in whole or in part, without review or action by  
11 an individual.

12           (g) "Electronic record" means a record created,  
13 generated, sent, communicated, received, or stored by  
14 electronic means.

15           (h) "Electronic signature" means an electronic sound,  
16 symbol, or process attached to or logically associated with a  
17 record and executed or adopted by a person with the intent to  
18 sign the record.

19           (i) "Governmental agency" means an executive,  
20 legislative, or judicial agency, department, board,  
21 commission, authority, institution, or instrumentality of the  
22 Federal Government or of a state or of a county, municipality,  
23 or other political subdivision of a state and any other public  
24 or private agency, person, partnership, corporation, or  
25 business entity acting on behalf of any public agency.

26           (j) "Information" means data, text, images, sounds,  
27 codes, computer programs, software, databases, or other  
28 similar representations of knowledge.

29           (k) "Information processing system" means an  
30 electronic system for creating, generating, sending,  
31 receiving, storing, displaying, or processing information.

1           (l) "Person" means an individual, corporation,  
2 business trust, estate, trust, partnership, limited liability  
3 company, association, joint venture, governmental agency,  
4 public corporation, or any other legal or commercial entity.

5           (m) "Record" means information that is inscribed on a  
6 tangible medium or that is stored in an electronic or other  
7 medium and is retrievable in perceivable form, including  
8 public records as defined in section 119.011(1), Florida  
9 Statutes.

10           (n) "Security procedure" means a procedure employed  
11 for the purpose of verifying that an electronic signature,  
12 record, or performance is that of a specific person or for  
13 detecting changes or errors in the information in an  
14 electronic record. The term includes a procedure that requires  
15 the use of algorithms or other codes, identifying words or  
16 numbers, encryption, or callback or other acknowledgment  
17 procedures.

18           (o) "State" means a state of the United States, the  
19 District of Columbia, Puerto Rico, the United States Virgin  
20 Islands, or any territory or insular possession subject to the  
21 jurisdiction of the United States. The term includes an Indian  
22 tribe or band, or Alaskan native village, which is recognized  
23 by federal law or formally acknowledged by a state.

24           (p) "Transaction" means an action or set of actions  
25 occurring between two or more persons relating to the conduct  
26 of business, commercial, or governmental affairs.

27           (2) SCOPE.--

28           (a) Except as otherwise provided in paragraph (b),  
29 this section applies to electronic records and electronic  
30 signatures relating to a transaction.

31

1           (b) This section does not apply to a transaction to  
2 the extent the transaction is governed by:

3           1. A provision of law governing the creation and  
4 execution of wills, codicils, or testamentary trusts;

5           2. The Uniform Commercial Code other than Sections  
6 1-107 and 1-206, Article 2, and Article 2A;

7           3. The Uniform Computer Information Transactions Act;  
8 or

9           4. Rules relating to judicial procedure.

10           (c) This section applies to an electronic record or  
11 electronic signature otherwise excluded from the application  
12 of this section under paragraph (b) to the extent such record  
13 or signature is governed by a provision of law other than  
14 those specified in paragraph (b).

15           (d) A transaction subject to this section is also  
16 subject to other applicable provisions of substantive law.

17           (3) PROSPECTIVE APPLICATION.--This section applies to  
18 any electronic record or electronic signature created,  
19 generated, sent, communicated, received, or stored on or after  
20 July 1, 2000.

21           (4) USE OF ELECTRONIC RECORDS AND ELECTRONIC  
22 SIGNATURES; VARIATION BY AGREEMENT.--

23           (a) This section does not require a record or  
24 signature to be created, generated, sent, communicated,  
25 received, stored, or otherwise processed or used by electronic  
26 means or in electronic form.

27           (b) This section applies only to transactions between  
28 parties each of which has agreed to conduct transactions by  
29 electronic means. Whether the parties agree to conduct a  
30 transaction by electronic means is determined from the context  
31 and surrounding circumstances, including the parties' conduct.

1           (c) A party that agrees to conduct a transaction by  
2 electronic means may refuse to conduct other transactions by  
3 electronic means. The right granted by this paragraph may not  
4 be waived by agreement.

5           (d) Except as otherwise provided in this section, the  
6 effect of any provision of this section may be varied by  
7 agreement. The presence in certain provisions of this section  
8 of the words "unless otherwise agreed," or words of similar  
9 import, does not imply that the effect of other provisions may  
10 not be varied by agreement.

11           (e) Whether an electronic record or electronic  
12 signature has legal consequences is determined by this section  
13 and other applicable provisions of law.

14           (5) CONSTRUCTION AND APPLICATION.--This section shall  
15 be construed and applied to:

16           (a) Facilitate electronic transactions consistent with  
17 other applicable provisions of law.

18           (b) Be consistent with reasonable practices concerning  
19 electronic transactions and with the continued expansion of  
20 those practices.

21           (c) Effectuate its general purpose to make uniform the  
22 law with respect to the subject of this section among states  
23 enacting similar legislation.

24           (6) LEGAL RECOGNITION OF ELECTRONIC RECORDS,  
25 ELECTRONIC SIGNATURES, AND ELECTRONIC CONTRACTS.--

26           (a) A record or signature may not be denied legal  
27 effect or enforceability solely because the record or  
28 signature is in electronic form.

29           (b) A contract may not be denied legal effect or  
30 enforceability solely because an electronic record was used in  
31 the formation of the contract.

1       (c) If a provision of law requires a record to be in  
2 writing, an electronic record satisfies such provision.

3       (d) If a provision of law requires a signature, an  
4 electronic signature satisfies such provision.

5       (7) PROVISION OF INFORMATION IN WRITING; PRESENTATION  
6 OF RECORDS.--

7       (a) If parties have agreed to conduct a transaction by  
8 electronic means and a provision of law requires a person to  
9 provide, send, or deliver information in writing to another  
10 person, the requirement is satisfied if the information is  
11 provided, sent, or delivered, as the case may be, in an  
12 electronic record capable of retention by the recipient at the  
13 time of receipt. An electronic record is not capable of  
14 retention by the recipient if the sender or the sender's  
15 information processing system inhibits the ability of the  
16 recipient to print or store the electronic record.

17       (b) If a provision of law other than this section  
18 requires a record to be posted or displayed in a certain  
19 manner; to be sent, communicated, or transmitted by a  
20 specified method; or to contain information that is formatted  
21 in a certain manner, the following rules apply:

22           1. The record must be posted or displayed in the  
23 manner specified in the other provision of law.

24           2. Except as otherwise provided in subparagraph (d)2.,  
25 the record must be sent, communicated, or transmitted by the  
26 method specified in the other provision of law.

27           3. The record must contain the information formatted  
28 in the manner specified in the other provision of law.

29       (c) If a sender inhibits the ability of a recipient to  
30 store or print an electronic record, the electronic record is  
31 not enforceable against the recipient.

1           (d) The requirements of this subsection may not be  
2 varied by agreement, provided:

3           1. To the extent a provision of law other than this  
4 section requires information to be provided, sent, or  
5 delivered in writing but permits that requirement to be varied  
6 by agreement, the requirement under paragraph (a) that the  
7 information be in the form of an electronic record capable of  
8 retention may also be varied by agreement.

9           2. A requirement under a law other than this section  
10 to send, communicate, or transmit a record by first-class  
11 mail, postage prepaid, or other regular United States mail,  
12 may be varied by agreement to the extent permitted by the  
13 other provision of law.

14           (8) CONTRIBUTION AND EFFECT OF ELECTRONIC RECORD AND  
15 ELECTRONIC SIGNATURE.--

16           (a) An electronic record or electronic signature is  
17 attributable to a person if the record or signature was the  
18 act of the person. The act of the person may be shown in any  
19 manner, including a showing of the efficacy of any security  
20 procedure applied to determine the person to which the  
21 electronic record or electronic signature was attributable.

22           (b) The effect of an electronic record or electronic  
23 signature attributed to a person under paragraph (a) is  
24 determined from the context and surrounding circumstances at  
25 the time of its creation, execution, or adoption, including  
26 the parties' agreement, if any, and otherwise as provided by  
27 law.

28           (9) EFFECT OF CHANGE OR ERROR.--If a change or error  
29 in an electronic record occurs in a transmission between  
30 parties to a transaction, the following rules apply:

31



1           (a) If the parties have agreed to use a security  
2 procedure to detect changes or errors and one party has  
3 conformed to the procedure, but the other party has not, and  
4 the nonconforming party would have detected the change or  
5 error had that party also conformed, the conforming party may  
6 avoid the effect of the changed or erroneous electronic  
7 record.

8           (b) In an automated transaction involving an  
9 individual, the individual may avoid the effect of an  
10 electronic record that resulted from an error made by the  
11 individual in dealing with the electronic agent of another  
12 person if the electronic agent did not provide an opportunity  
13 for the prevention or correction of the error and, at the time  
14 the individual learns of the error, the individual:

15           1. Promptly notifies the other person of the error and  
16 that the individual did not intend to be bound by the  
17 electronic record received by the other person.

18           2. Takes reasonable steps, including steps that  
19 conform to the other person's reasonable instructions, to  
20 return to the other person or, if instructed by the other  
21 person, to destroy the consideration received, if any, as a  
22 result of the erroneous electronic record.

23           3. Has not used or received any benefit or value from  
24 the consideration, if any, received from the other person.

25           (c) If paragraphs (a) and (b) do not apply, the change  
26 or error has the effect provided by the other provision of  
27 law, including the law of mistake, and the parties' contract,  
28 if any.

29           (d) Paragraphs (b) and (c) may not be varied by  
30 agreement.

31           (10) NOTARIZATION AND ACKNOWLEDGMENT.--

1           (a) If a law requires a signature or record to be  
2 notarized, acknowledged, verified, or made under oath, the  
3 requirement is satisfied if the electronic signature of the  
4 person authorized by applicable law to perform those acts,  
5 together with all other information required to be included by  
6 other applicable law, is attached to or logically associated  
7 with the signature or record. Neither a rubber stamp nor an  
8 impression type seal is required for an electronic  
9 notarization.

10           (b) A first-time applicant for a notary commission  
11 must submit proof that the applicant has, within 1 year prior  
12 to the application, completed at least 3 hours of interactive  
13 or classroom instruction, including electronic notarization,  
14 and covering the duties of the notary public. Courses  
15 satisfying this section may be offered by any public or  
16 private sector person or entity registered with the Executive  
17 Office of the Governor and must include a core curriculum  
18 approved by that office.

19           (11) RETENTION OF ELECTRONIC RECORDS; ORIGINALS.--

20           (a) If a law requires that a record be retained, the  
21 requirement is satisfied by retaining an electronic record of  
22 the information in the record which:

23           1. Accurately reflects the information set forth in  
24 the record after the record was first generated in final form  
25 as an electronic record or otherwise.

26           2. Remains accessible for later reference.

27           (b) A requirement to retain a record in accordance  
28 with paragraph (a) does not apply to any information the sole  
29 purpose of which is to enable the record to be sent,  
30 communicated, or received.

31

1           (c) A person may satisfy paragraph (a) by using the  
2 services of another person if the requirements of paragraph  
3 (a) are satisfied.

4           (d) If a provision of law requires a record to be  
5 presented or retained in its original form, or provides  
6 consequences if the record is not presented or retained in its  
7 original form, that law is satisfied by an electronic record  
8 retained in accordance with paragraph (a).

9           (e) If a provision of law requires retention of a  
10 check, that requirement is satisfied by retention of an  
11 electronic record of the information on the front and back of  
12 the check in accordance with paragraph (a).

13           (f) A record retained as an electronic record in  
14 accordance with paragraph (a) satisfies a provision of law  
15 requiring a person to retain a record for evidentiary, audit,  
16 or similar purposes, unless a provision of law enacted after  
17 July 1, 2000, specifically prohibits the use of an electronic  
18 record for the specified purpose.

19           (g) This subsection does not preclude a governmental  
20 agency of this state from specifying additional requirements  
21 for the retention of a record subject to the agency's  
22 jurisdiction.

23           (12) ADMISSIBILITY IN EVIDENCE.--In a proceeding,  
24 evidence of a record or signature may not be excluded solely  
25 because the record or signature is in electronic form.

26           (13) AUTOMATED TRANSACTIONS.--In an automated  
27 transaction, the following rules apply:

28           (a) A contract may be formed by the interaction of  
29 electronic agents of the parties, even if no individual was  
30 aware of or reviewed the electronic agents' actions or the  
31 resulting terms and agreements.

1           (b) A contract may be formed by the interaction of an  
2 electronic agent and an individual, acting on the individual's  
3 own behalf or for another person, including by an interaction  
4 in which the individual performs actions that the individual  
5 is free to refuse to perform and which the individual knows or  
6 has reason to know will cause the electronic agent to complete  
7 the transaction or performance.

8           (d) The terms of the contract are determined by the  
9 substantive law applicable to the contract.

10           (14) TIME AND PLACE OF SENDING AND RECEIVING.--

11           (a) Unless otherwise agreed between the sender and the  
12 recipient, an electronic record is sent when the record:

13           1. Is addressed properly or otherwise directed  
14 properly to an information processing system that the  
15 recipient has designated or uses for the purpose of receiving  
16 electronic records or information of the type sent and from  
17 which the recipient is able to retrieve the electronic record.

18           2. Is in a form capable of being processed by that  
19 system.

20           3. Enters an information processing system outside the  
21 control of the sender or of a person that sent the electronic  
22 record on behalf of the sender or enters a region of the  
23 information processing system designated or used by the  
24 recipient which is under the control of the recipient.

25           (b) Unless otherwise agreed between a sender and the  
26 recipient, an electronic record is received when the record  
27 enters an information processing system that the recipient has  
28 designated or uses for the purpose of receiving electronic  
29 records or information of the type sent and from which the  
30 recipient is able to retrieve the electronic record; and it is  
31 in a form capable of being processed by that system.

1           (c) Paragraph (b) applies even if the place the  
2 information processing system is located is different from the  
3 place the electronic record is deemed to be received under  
4 paragraph (d).

5           (d) Unless otherwise expressly provided in the  
6 electronic record or agreed between the sender and the  
7 recipient, an electronic record is deemed to be sent from the  
8 sender's place of business and to be received at the  
9 recipient's place of business. For purposes of this paragraph,  
10 the following rules apply:

11           1. If the sender or recipient has more than one place  
12 of business, the place of business of that person is the place  
13 having the closest relationship to the underlying transaction.

14           2. If the sender or the recipient does not have a  
15 place of business, the place of business is the sender's or  
16 recipient's residence, as the case may be.

17           (e) An electronic record is received under paragraph  
18 (b) even if no individual is aware of its receipt.

19           (f) Receipt of an electronic acknowledgment from an  
20 information processing system described in paragraph (b)  
21 establishes that a record was received but, by itself, does  
22 not establish that the content sent corresponds to the content  
23 received.

24           (g) If a person is aware that an electronic record  
25 purportedly sent under paragraph (a), or purportedly received  
26 under paragraph (b), was not actually sent or received, the  
27 legal effect of the sending or receipt is determined by other  
28 applicable provisions of law. Except to the extent permitted  
29 by the other provisions of law, the requirements of this  
30 paragraph may not be varied by agreement.

31

1           (h) An automated transaction does not establish the  
2 acceptability of an electronic record for recording purposes.

3           (15) TRANSFERABLE RECORDS.--

4           (a) For purposes of this subsection, "transferable  
5 record" means an electronic record that:

6           1. Would be a note under Article 3 of the Uniform  
7 Commercial Code or a document under Article 7 of the Uniform  
8 Commercial Code if the electronic record were in writing.

9           2. The issuer of the electronic record expressly has  
10 agreed is a transferable record.

11           (b) A person has control of a transferable record if a  
12 system employed for evidencing the transfer of interests in  
13 the transferable record reliably establishes that person as  
14 the person to which the transferable record was issued or  
15 transferred.

16           (c) A system satisfies paragraph (b), and a person is  
17 deemed to have control of a transferable record, if the  
18 transferable record is created, stored, and assigned in such a  
19 manner that:

20           1. A single authoritative copy of the transferable  
21 record exists which is unique, identifiable, and, except as  
22 otherwise provided in subparagraphs 4., 5., and 6.,  
23 unalterable.

24           2. The authoritative copy identifies the person  
25 asserting control as the person to which the transferable  
26 record was issued or, if the authoritative copy indicates that  
27 the transferable record has been transferred, the person to  
28 which the transferable record was most recently transferred.

29           3. The authoritative copy is communicated to and  
30 maintained by the person asserting control or its designated  
31 custodian.

1           4. Copies or revisions that add or change an  
2 identified assignee of the authoritative copy can be made only  
3 with the consent of the person asserting control.

4           5. Each copy of the authoritative copy and any copy of  
5 a copy is readily identifiable as a copy that is not the  
6 authoritative copy.

7           6. Any revision of the authoritative copy is readily  
8 identifiable as authorized or unauthorized.

9           (d) Except as otherwise agreed, a person having  
10 control of a transferable record is the holder, as defined in  
11 Section 1-201(20) of the Uniform Commercial Code, of the  
12 transferable record and has the same rights and defenses as a  
13 holder of an equivalent record or writing under the Uniform  
14 Commercial Code, including, if the applicable statutory  
15 requirements under Section 3-302(a), 7-501, or 9-308 of the  
16 Uniform Commercial Code are satisfied, the rights and defenses  
17 of a holder in due course, a holder to which a negotiable  
18 document of title has been duly negotiated, or a purchaser,  
19 respectively. Delivery, possession, and endorsement are not  
20 required to obtain or exercise any of the rights under this  
21 paragraph.

22           (e) Except as otherwise agreed, an obligor under a  
23 transferable record has the same rights and defenses as an  
24 equivalent obligor under equivalent records or writings under  
25 the Uniform Commercial Code.

26           (f) If requested by a person against which enforcement  
27 is sought, the person seeking to enforce the transferable  
28 record shall provide reasonable proof that the person is in  
29 control of the transferable record. Proof may include access  
30 to the authoritative copy of the transferable record and  
31 related business records sufficient to review the terms of the

1 transferable record and to establish the identity of the  
2 person having control of the transferable record.

3 (16) CREATION AND RETENTION OF ELECTRONIC RECORDS AND  
4 CONVERSION OF WRITTEN RECORDS BY GOVERNMENTAL AGENCIES.--Each  
5 governmental agency shall determine whether, and the extent to  
6 which, such agency will create and retain electronic records  
7 and convert written records to electronic records.

8 (17) ACCEPTANCE AND DISTRIBUTION OF ELECTRONIC RECORDS  
9 BY GOVERNMENTAL AGENCIES.--

10 (a) Except as otherwise provided in paragraph (11)(f),  
11 each governmental agency shall determine whether, and the  
12 extent to which, such agency will send and accept electronic  
13 records and electronic signatures to and from other persons  
14 and otherwise create, generate, communicate, store, process,  
15 use, and rely upon electronic records and electronic  
16 signatures.

17 (b) To the extent that a governmental agency uses  
18 electronic records and electronic signatures under paragraph  
19 (a), the governmental agency, giving due consideration to  
20 security, may specify:

21 1. The manner and format in which the electronic  
22 records must be created, generated, sent, communicated,  
23 received, and stored and the systems established for those  
24 purposes.

25 2. If electronic records must be signed by electronic  
26 means, the type of electronic signature required, the manner  
27 and format in which the electronic signature must be affixed  
28 to the electronic record, and the identity of, or criteria  
29 that must be met by, any third party used by a person filing a  
30 document to facilitate the process.

31



1           3. Control processes and procedures as appropriate to  
2 ensure adequate preservation, disposition, integrity,  
3 security, confidentiality, and auditability of electronic  
4 records.

5           4. Any other required attributes for electronic  
6 records which are specified for corresponding nonelectronic  
7 records or reasonably necessary under the circumstances.

8           (c) Except as otherwise provided in paragraph (11)(f),  
9 this section does not require a governmental agency of this  
10 state to use or permit the use of electronic records or  
11 electronic signatures.

12           (d) Service charges and fees otherwise established by  
13 law applicable to the filing of nonelectronic records shall  
14 apply in kind to the filing of electronic records.

15           (18) INTEROPERABILITY.--The governmental agency which  
16 adopts standards pursuant to subsection (17) may encourage and  
17 promote consistency and interoperability with similar  
18 requirements adopted by other governmental agencies of this  
19 and other states and the Federal Government and  
20 nongovernmental persons interacting with governmental agencies  
21 of this state. If appropriate, those standards may specify  
22 differing levels of standards from which governmental agencies  
23 of this state may choose in implementing the most appropriate  
24 standard for a particular application.

25           (19) SEVERABILITY.--If any provision of this section  
26 or its application to any person or circumstance is held  
27 invalid, the invalidity does not affect other provisions or  
28 applications of this section which can be given effect without  
29 the invalid provision or application, and to this end the  
30 provisions of this section are severable.

31

1           Section 2. (1) The Legislature finds that a proper  
2 and legitimate state purpose is served by providing the public  
3 with access to public records and information on the Internet  
4 and determines that the provisions of this act fulfill and  
5 further an important state interest.

6           (2) No later than January 1, 2002, the county recorder  
7 in each county shall provide a current index of documents  
8 recorded in the official records of the county for the period  
9 beginning no later than January 1, 1990, on a publicly  
10 available Internet website which shall also contain a document  
11 requisition point for obtaining images or copies of the  
12 documents reflected in the index. Each county recorder shall  
13 contract with the Florida Association of Court Clerks to  
14 participate in and connect to the statewide official records  
15 website developed and operated by the Florida Association of  
16 Court Clerks.

17           (3) Each county recorder shall use appropriate  
18 Internet security measures to ensure that no person has the  
19 ability to alter or to modify any public record.

20           (4) Unless otherwise provided by law, no information  
21 retrieved electronically pursuant to this section shall be  
22 admissible in court as an authenticated document.

23           (5) The Florida Association of Court Clerks, to  
24 support the development, maintenance, and operation of the  
25 statewide official records website, may charge a reasonable  
26 fee for access and use of the system and to make such other  
27 charges as appropriate for commercial use of the system.  
28 However, no fee or other charge will be made against a person  
29 who accesses the system for less than 1 hour per month.

30           (6) By January 1, 2006, each county recorder shall  
31 provide for electronic retrieval, at a minimum, images of

1 documents referenced as the index required to be maintained on  
2 the county's official records website by this section.

3 Section 3. This act shall take effect July 1, 2000.

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6 LEGISLATIVE SUMMARY

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8 Provides requirements, criteria, procedures, and  
9 limitations for electronic records, signatures, and  
10 contracts. Requires clerks of court to provide a  
11 statewide index of official records available on the  
12 Internet. (See bill for details.)

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