

1 A bill to be entitled
 2 An act relating to electronic filing of records with
 3 the Department of State; amending s. 15.16, F.S.;
 4 authorizing the department to implement a password
 5 protected system for the electronic filing of certain
 6 records; providing that a person using the system may
 7 be required to verify his or her credentials and
 8 provide supplemental materials to the department;
 9 authorizing the department to allow certain entities
 10 to identify authorized account holders for a certain
 11 purpose; requiring the department to use certain e-
 12 mail addresses as the initial authorized account
 13 holder and send certain codes to such e-mail
 14 addresses; authorizing the department to require the
 15 verification of certain identities through the use of
 16 certain methods; providing an effective date.

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 18 Be It Enacted by the Legislature of the State of Florida:

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 20 Section 1. Subsection (3) of section 15.16, Florida
 21 Statutes, is amended to read:

22 15.16 Reproduction of records; admissibility in evidence;
 23 electronic receipt and transmission of records; certification;
 24 acknowledgment.—

25 (3) The Department of State may cause to be received

26 | electronically any records that are required or authorized to be
27 | filed with it pursuant to chapter 48, chapter 55, chapter 117,
28 | chapter 118, chapter 495, chapter 605, chapter 606, chapter 607,
29 | chapter 610, chapter 617, chapter 620, chapter 621, chapter 679,
30 | chapter 713, or chapter 865, through facsimile or other
31 | electronic transfers, for the purpose of filing such records.
32 | The department may implement a password protected system for the
33 | filing of such records. A person using the password protected
34 | system to electronically file a record may be required to verify
35 | his or her credentials and provide supplemental materials to the
36 | department, including his or her original signature. The
37 | department may allow an entity organized under a chapter
38 | specified in this subsection to identify authorized account
39 | holders for the purpose of electronically filing records related
40 | to the entity. The department shall use the e-mail address on
41 | file with the Division of Corporations on January 1, 2024, as
42 | the initial authorized account holder and shall send to that e-
43 | mail address a code providing access to the password protected
44 | system. The department may require verification of the identity
45 | of an authorized account holder before such account holder may
46 | file a record with the department through the password protected
47 | system. For an account holder who is unable to verify his or her
48 | identity using an automated process, the department may use
49 | alternate methods of verification, including video chat, in-
50 | person verification, and the use of credential service providers

51 that comply with the National Institute of Standards and
52 Technology identity verification guidelines. The originals of
53 all such electronically transmitted records must be executed in
54 the manner provided in paragraph (5)(b). The receipt of such
55 electronic transfer constitutes delivery to the department as
56 required by law. The department may use electronic transmissions
57 for purposes of notice in the administration of chapters 48, 55,
58 117, 118, 495, 605, 606, 607, 610, 617, 620, 621, 679, and 713
59 and s. 865.09. The Department of State may collect e-mail
60 addresses for purposes of notice and communication in the
61 performance of its duties and may require filers and registrants
62 to furnish such e-mail addresses when presenting documents for
63 filing.

64 Section 2. This act shall take effect July 1, 2023.