

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

400C0402

SENATE BILL NO. 63

Introduced by: The Committee on Judiciary at the request of the Bureau of Information and Telecommunications

1 FOR AN ACT ENTITLED, An Act to provide for the use and acceptance of electronic
2 signatures.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. For the purposes of this Act, the term, electronic signature, means a method of
5 signing a record, through electronic means, that identifies and authenticates a particular person
6 as the source of the record and indicates the person's approval of the information contained in
7 the record.

8 Section 2. The use or acceptance of an electronic signature shall be at the option of both
9 parties. Nothing in this Act requires an entity to use or permit the use of an electronic signature.

10 Section 3. An electronic signature may be used to sign a record and has the same force and
11 effect as a written signature.

12 Section 4. Filing a record signed using an electronic signature with a state agency is prima
13 facie evidence that the record was filed by the person to whom the electronic signature has been
14 assigned.