

# State of South Dakota

SEVENTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2000

400D0374

## SENATE BILL NO. 39

Introduced by: The Committee on Agriculture and Natural Resources at the request of the  
Department of Environment and Natural Resources

1 FOR AN ACT ENTITLED, An Act to provide for the use and acceptance of electronic  
2 signatures on certain applications and forms by the Department of Environment and Natural  
3 Resources.

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

5 Section 1. That chapter 1-40 be amended by adding thereto a NEW SECTION to read as  
6 follows:

7 For the purposes of this Act, the term, electronic signature, means a method of signing  
8 applications or forms submitted to the Department of Environment and Natural Resources, by  
9 electronic means. An electronic signature may be used to sign an application or form and has the  
10 same force and effect as a written signature. The Department of Environment and Natural  
11 Resources shall provide for provisions that identify and authenticate a particular person as the  
12 source of the application or form. Any identifying codes used by the department for identification  
13 and authentication are confidential. Filing an application or form signed using an electronic  
14 signature with the department is prima facie evidence that the application or form was filed by  
15 the person to whom the electronic signature has been assigned.

16 Section 2. That chapter 1-40 be amended by adding thereto a NEW SECTION to read as

1 follows:

2       The use or acceptance of an electronic signature shall be at the option of the Department of  
3 Environment and Natural Resources. Nothing in this Act requires an entity to use or permit the  
4 use of an electronic signature. The Department of Environment and Natural Resources shall  
5 continue to provide printed applications and forms.