

Legislative Analysis



ELECTRONIC SEAL ON DOCUMENTS

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Senate Bill 719

Sponsor: Sen. Jason E. Allen

Senate Bill 720

Sponsor: Sen. Wayne Kuipers

Senate Committee: Judiciary

House Committee: Judiciary

Complete to 3-1-10

A SUMMARY OF SENATE BILLS 719 & 720 AS PASSED BY THE SENATE 10-28-09

Each of the bills would allow for a seal to be fixed on an instrument or document electronically.

Senate Bill 719 would amend Public Act 198 of 1895, which deals with the sealing of deeds and other written instruments. That act currently provides that a seal of a court, public officer, or corporation may be impressed directly upon the instrument or writing to be sealed; upon wafer, wax, or other adhesive substance affixed to the instrument or writing; or upon paper or other similar substance affixed to the instrument or writing by an adhesive substance. Under the bill, a seal of a court, public officer, or corporation also could be affixed *electronically* either upon the instrument or writing to be sealed or affixed *electronically* upon an electronic document.

Senate Bill 720 would amend Chapter 1 of the Revised Statutes of 1846 (entitled "Of the statutes"). That act currently provides that in all cases in which the seal of any court or public office is required to be affixed to any paper, the word "seal" must be construed to mean the impression of the seal on the paper alone as well as the impression of the seal affixed to it by means of a wafer or wax. Under the bill, "seal" also would mean the seal affixed *electronically* on the paper or affixed to an electronic document.

FISCAL IMPACT:

The bills would have an indeterminate, but positive fiscal impact on state and local governments. The provisions of the bills would allow for the electronic affixation of a seal to certain documents mentioned in the bills. The savings would come from reduced printing, record keeping, and mailing costs associated with storing and sending electronic documents.

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