

Assembly Bill No. 325—Assemblymen Kasama, Titus, Leavitt, Dickman, Ellison; Hafen, Hardy, Krasner, Matthews, McArthur, O’Neill, Roberts, Tolles and Wheeler

Joint Sponsors: Senators Buck and SeEVERS Gansert

CHAPTER.....

AN ACT relating to records; authorizing the submission of a certified paper copy of an electronic document to certain county recorders; prescribing a certificate sufficient for certifying that a paper copy is a true and correct copy of an electronic document; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires a county recorder to receive, record and index certain documents. Such documents must generally be submitted to a county recorder as a paper document. (Chapter 247 of NRS) Existing law authorizes a county recorder to receive, record, store, index, archive and transmit electronic documents in addition to paper documents. (NRS 111.366-111.3697, 247.115) **Section 1** of this bill authorizes the submission of a certified paper copy of an electronic document for recording to a county recorder who has elected to receive and record electronic documents. **Section 2** of this bill prescribes a certificate sufficient for certifying that a paper copy is a true and correct copy of an electronic document. **Sections 4-6** of this bill make conforming changes to indicate the proper placement of **section 2** in the Nevada Revised Statutes.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 247 of NRS is hereby amended by adding thereto a new section to read as follows:

1. If a law requires, as a condition for recording, that a document:

(a) Be an original, be on paper or another tangible medium, or be in writing; or

(b) Be signed,

↳ the requirement is satisfied by a certified paper copy of an electronic document that satisfies the provisions of NRS 111.366 to 111.3697, inclusive.

2. This section allows a person to submit a certified paper copy of an electronic document for recording only if a county recorder has elected to accept electronic documents for recording pursuant to NRS 247.115.



Sec. 2. Chapter 240 of NRS is hereby amended by adding thereto a new section to read as follows:

Upon compliance with the requirements of NRS 240.199, the following certificate is sufficient for certifying that a paper document is a true and correct copy of an electronic document:

*State of Nevada
County of.....*

I certify that this is a true and correct copy of an electronic document printed by me or under my supervision. I further certify that, at the time of printing, no security features present on the electronic document indicated any changes or errors in an electronic signature or other information in the electronic document since its creation or execution.

Dated.....

.....
(Signature of notarial officer)

(Seal, if any)

.....
(Title and rank (optional))

Sec. 3. (Deleted by amendment.)

Sec. 4. NRS 240.181 is hereby amended to read as follows:

240.181 NRS 240.181 to 240.206, inclusive, *and section 2 of this act* may be cited as the Electronic Notarization Enabling Act.

Sec. 5. NRS 240.182 is hereby amended to read as follows:

240.182 As used in NRS 240.181 to 240.206, inclusive, *and section 2 of this act*, unless the context otherwise requires, the words and terms defined in NRS 240.1821 to 240.1882, inclusive, have the meanings ascribed to them in those sections.

Sec. 6. NRS 240.189 is hereby amended to read as follows:

240.189 An electronic notary public shall comply with those provisions of NRS 240.001 to 240.169, inclusive, which are not inconsistent with NRS 240.181 to 240.206, inclusive **[]**, *and section 2 of this act*. To the extent that the provisions of NRS 240.001 to 240.169, inclusive, conflict with the provisions of NRS 240.181 to 240.206, inclusive, *and section 2 of this act*, the provisions of NRS 240.181 to 240.206, inclusive, *and section 2 of this act* control.

Sec. 7. This act becomes effective on July 1, 2021.

