

HOUSE BILL 612

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1998 Regular Session
8lr6006

By: **Chairman, Economic Matters Committee (Departmental - Assessments
and Taxation)**

Introduced and read first time: February 9, 1998

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Business Documents - Filing and Certification**

3 FOR the purpose of authorizing data included in business document filings to be filed
4 with the Department of Assessments and Taxation electronically; altering the
5 means by which the Department of Assessments and Taxation may certify
6 documents; defining certain terms; and requiring the Department of
7 Assessments and Taxation to adopt certain regulations.

8 BY repealing and reenacting, without amendments,
9 Article - Corporations and Associations
10 Section 1-101(a)
11 Annotated Code of Maryland
12 (1993 Replacement Volume and 1997 Supplement)

13 BY adding to
14 Article - Corporations and Associations
15 Section 1-101(r-2) and 1-206(d)
16 Annotated Code of Maryland
17 (1993 Replacement Volume and 1997 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article - Corporations and Associations
20 Section 1-201(c)
21 Annotated Code of Maryland
22 (1993 Replacement Volume and 1997 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Corporations and Associations**

2 1-101.

3 (a) In this article, unless the context clearly requires otherwise, the following
4 words have the meanings indicated.

5 (R-2) "SIGNED" INCLUDES ANY SYMBOL EXECUTED OR ADOPTED BY A PERSON
6 WITH PRESENT INTENTION TO AUTHENTICATE A WRITING.

7 1-201.

8 (c) (1) In this subsection ["facsimile device"] "ELECTRONICALLY FILED
9 DOCUMENTS" INCLUDE [means]:

10 (I) DOCUMENTS SUBMITTED FOR RECORD THROUGH a FACSIMILE
11 machine [that transmits, receives, and copies documents electronically or
12 telephonically over telecommunication lines]; AND

13 (II) INFORMATION SUBMITTED FOR RECORD THROUGH
14 ELECTRONIC DATA INTERCHANGE.

15 (2) As provided in § 1-203.2 of this subtitle, the Department may accept
16 ELECTRONICALLY FILED documents [that are filed for record by means of a facsimile
17 device].

18 (3) [Documents filed for record by means of a facsimile device]
19 ELECTRONICALLY FILED DOCUMENTS are subject to the regular filing fees and
20 expedited filing fees provided in § 1-203 of this subtitle.

21 (4) THE DEPARTMENT SHALL ADOPT REGULATIONS GOVERNING THE
22 ACCEPTANCE AND PROCESSING OF ELECTRONICALLY FILED DOCUMENTS.
23 REGULATIONS ADOPTED BY THE DEPARTMENT MAY PROHIBIT ELECTRONIC FILING
24 OF PARTICULAR FORMS OR TYPES OF DOCUMENTS.

25 1-206.

26 (D) FOR PURPOSES OF ISSUING A CERTIFICATE UNDER THIS ARTICLE OR
27 CERTIFYING A COPY OF A DOCUMENT, A CERTIFICATION BY THE DEPARTMENT MAY
28 BE SIGNED AS PROVIDED IN § 1-101(R-2) OF THIS TITLE.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
30 effect October 1, 1998.