

1 SENATE BILL 167

2 **54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

3 INTRODUCED BY

4 Clemente Sanchez

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10 AN ACT

11 RELATING TO BUSINESS ENTITIES; PROVIDING THAT THE SECRETARY OF
12 STATE SHALL ACCEPT A COPY OF A SIGNATURE FOR ELECTRONIC FILINGS
13 OF CERTAIN DOCUMENTS.

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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. Section 53-2-11 NMSA 1978 (being Laws 2001,
17 Chapter 200, Section 13) is amended to read:

18 "53-2-11. ELECTRONIC FILING AND CERTIFICATION OF
19 DOCUMENTS--USE OF ELECTRONIC PAYMENT OF FEES.--

20 A. The [~~public regulation commission~~] secretary of
21 state may [~~adopt rules permitting~~] permit the electronic filing
22 of documents, including original documents, and the
23 certification of electronically filed documents when filing or
24 certification is required or permitted pursuant to a provision
25 of Chapter 53 NMSA 1978. The [~~rules shall provide for the~~

.212080.1

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 ~~appropriate treatment of]~~ secretary of state may accept
2 electronic filings for the purposes of satisfying requirements
3 for original documents or copies [~~and shall provide the~~
4 ~~requirements for signature with respect to electronic filings]~~.

5 As used in this section, "electronic filing" means filing by
6 facsimile, email or other electronic transmission. If the
7 [~~commission]~~ secretary of state accepts the filing of a
8 document by electronic transmission, [~~it may]~~ the secretary of
9 state shall accept for filing a document by electronic
10 transmission containing a copy of a signature, however made.

11 B. The [~~public regulation commission]~~ secretary of
12 state may accept a credit or debit card, in lieu of cash or
13 check, or other means of payment specified in [~~its]~~ the
14 secretary of state's rules, as payment of a fee pursuant to a
15 provision of Chapter 53 NMSA 1978. The [~~commission]~~ secretary
16 of state shall determine those credit or debit cards or other
17 means of payment that may be accepted for payment."

18 SECTION 2. EFFECTIVE DATE.--The effective date of the
19 provisions of this act is July 1, 2019.