

CHAPTER NO. 13

SENATE BILL NO. 544

By Fowler

Substituted for: House Bill No. 443

By Fowlkes

AN ACT to amend Tennessee Code Annotated, Section 66-24-101; and to repeal Tennessee Code Annotated, Chapter 801 of the Public Acts of 2004, relative to the recording of electronic records with county registers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 66-24-101, is amended by adding the following new subsection:

(d) If any writing otherwise eligible for registration under subsection (a) is created or retained as an electronic record in accordance with § 47-10-112, and other provisions of the Uniform Electronic Transactions Act or any other provision of law, then a copy of such writing, in lieu of the original, may be registered under this section; provided that such copy is certified by a licensed attorney or the custodian of the record that such copy is a true and accurate copy of the original and the signature of such attorney or custodian is notarized. The county register may specify whether the copy to be registered shall be in paper or electronic form.

The Certification of Electronic Document shall be notarized and shall be substantially in the following form and shall not obstruct any of the contents of the document being tendered:

I, _____, do hereby make oath that I am a licensed attorney and/or the custodian of the paper version of the electronic record tendered for registration herewith and that this is a true and correct copy of the electronic record executed pursuant to § 47-10-112 and other provisions of the Uniform Electronic Transactions Act or other provisions of law.

Signature

State of _____
County of _____

Personally appeared before me, _____, a notary public for said county and state, _____ (name of person making certification) who acknowledges that this certification is true and correct and whose signature I have witnessed.

Notary's Signature

MY COMMISSION EXPIRES: _____

NOTARY'S ORIGINAL SEAL

SECTION 2. Chapter 801 of the Public Acts of 2004 is hereby repealed.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: March 16, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 29th day of March 2005


PHIL BREDESEN, GOVERNOR