

H.B. 319: Electronic Records Amendments

Sponsored by Representative Cutler

Summary

H.B. 319 creates a framework allowing counties to accept digitally authenticated records as an alternative to traditionally notarized documents for recording purposes

Key Policy Points

Digital Records

Why are we doing this?

- Produce secure digital authentication & digital ledger technology with the ability to verify documents instantly & securely, improving efficiency, security, and accountability

What it does

- Provides guidelines to allow counties to accept “digitally authenticated records” if they choose to

Technology-Neutral Approach

- Uses broad language (cryptographic signatures, distributed ledger technology, or other tamper-evident technology) rather than a specific blockchain or any system

Careful Training Wheels Approach

Approval Process (the training wheels approach to digital authentication)

- Counties must obtain approval from State Archives on both processes and technology before accepting digitally authenticated records
- DTS will consult with State Archives to review technical security standards and system integrity
- State Archives is held accountable to ensure compliance with retention schedules and long-term preservations requirements (just like other records)

Local Control & Fiscal Prudence

Optional

- No county is forced to buy new software. This is strictly opt-in.

No State Mandate

- Counties that want to innovate can implement it; counties that don't can stick to paper.

Absorbable Fiscal Impact

- Cost Estimate: \$4,800 ongoing, \$14,600 one-time in FY 2027 for rulemaking and consultation.
- The agency could absorb these costs within existing appropriations, meaning no new legislative appropriation is required.