

Effective 7/1/2015

Part 2
Electronic Documents

17-21a-201 Title.

This part is known as "Electronic Documents."

Enacted by Chapter 89, 2014 General Session

17-21a-202 Validity of electronic documents.

- (1) If a law requires, as a condition for recording, that a document be an original, be on paper or another tangible medium, or be in writing, the requirement is satisfied by an electronic document satisfying this chapter.
- (2) If a law requires, as a condition for recording, that a document be signed, the requirement is satisfied by an electronic signature.
- (3)
 - (a) A requirement that a document or a signature associated with a document be notarized, acknowledged, verified, witnessed, or made under oath is satisfied if the electronic signature of the person authorized to perform that act, and all other information required to be included, is attached to or logically associated with the document or signature.
 - (b) A physical or electronic image of a stamp, impression, or seal need not accompany an electronic signature.

Enacted by Chapter 89, 2014 General Session

17-21a-203 Recording of documents.

- (1) As used in this section, "paper document" means a document that is received by the county recorder in a form that is not electronic.
- (2) A county recorder:
 - (a) who implements any of the functions listed in this section shall do so in compliance with standards established by the Utah Electronic Recording Commission created in Section 17-21a-301;
 - (b) may receive, index, store, archive, and transmit electronic documents;
 - (c) may provide for access to, and for search and retrieval of, documents and information by electronic means;
 - (d) who accepts electronic documents for recording shall continue to accept paper documents as authorized by state law and shall place entries for both types of documents in the same index;
 - (e) may convert paper documents accepted for recording into electronic form;
 - (f) may convert into electronic form information recorded before the county recorder began to record electronic documents;
 - (g) may accept electronically any fee that the county recorder is authorized to collect; and
 - (h) may agree with other officials of a state or a political subdivision thereof, or of the United States, on procedures or processes to facilitate the electronic satisfaction of prior approvals and conditions precedent to recording and the electronic payment of fees.

Enacted by Chapter 89, 2014 General Session

