HB 909

1 A bill to be entitled 2 An act relating to electronic filing of records with 3 the Department of State; amending s. 15.16, F.S.; 4 authorizing the department to implement a password 5 protected system for the electronic filing of certain 6 records; providing that a person using the system may 7 be required to verify his or her credentials and 8 provide supplemental materials to the department; 9 authorizing the department to allow certain entities to identify authorized account holders for a certain 10 11 purpose; requiring the department to use certain email addresses as the initial authorized account 12 holder and send certain codes to such e-mail 13 14 addresses; authorizing the department to require the 15 verification of certain identities; providing an 16 effective date. 17 18 Be It Enacted by the Legislature of the State of Florida: 19 20 Subsection (3) of section 15.16, Florida Section 1. 21 Statutes, is amended to read: 22 15.16 Reproduction of records; admissibility in evidence; 23 electronic receipt and transmission of records; certification; 24 acknowledgment.-25 (3) The Department of State may cause to be received Page 1 of 3

CODING: Words stricken are deletions; words underlined are additions.

2023

HB 909

2023

26 electronically any records that are required to be filed with it 27 pursuant to chapter 55, chapter 117, chapter 118, chapter 495, 28 chapter 605, chapter 606, chapter 607, chapter 610, chapter 617, chapter 620, chapter 621, chapter 679, chapter 713, or chapter 29 30 865, through facsimile or other electronic transfers, for the purpose of filing such records. The department may implement a 31 32 password protected system for the filing of such records. A 33 person using the password protected system to electronically 34 file a record may be required to verify his or her credentials 35 and provide supplemental materials to the department, including his or her original signature. The department may allow an 36 37 entity organized under a chapter specified in this subsection to identify authorized account holders for the purpose of 38 39 electronically filing records related to the entity. The 40 department shall use the e-mail address on file with the 41 Division of Corporations on January 1, 2024, as the initial 42 authorized account holder and shall send to that e-mail address 43 a code providing access to the password protected system. The 44 department may require verification of the identity of an 45 authorized account holder before such account holder may file a 46 record with the department through the password protected 47 system. The originals of all such electronically transmitted 48 records must be executed in the manner provided in paragraph 49 (5) (b). The receipt of such electronic transfer constitutes delivery to the department as required by law. The department 50

Page 2 of 3

CODING: Words stricken are deletions; words underlined are additions.

HB 909

2023

51 may use electronic transmissions for purposes of notice in the 52 administration of chapters 55, 117, 118, 495, 605, 606, 607, 53 610, 617, 620, 621, 679, and 713 and s. 865.09. The Department 54 of State may collect e-mail addresses for purposes of notice and 55 communication in the performance of its duties and may require 56 filers and registrants to furnish such e-mail addresses when 57 presenting documents for filing.

58

Section 2. This act shall take effect July 1, 2023.

Page 3 of 3

CODING: Words stricken are deletions; words underlined are additions.