Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

SENATE BILL NO. 2252
(Senators Luick, Anderson)
(Representatives Kretschmar, Maragos)

AN ACT to create and enact two new sections to chapter 54-09 of the North Dakota Century Code, relating to the role of the secretary of state in filing signed documents or records, an agent signing documents, or records filed with the secretary of state; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 54-09 of the North Dakota Century Code is created and enacted as follows:

Role of secretary of state in filing signed documents and records.

Whenever any provision of law requires or permits a signed document or record to be filed with the secretary of state, the provision may not be construed to require the secretary of state to make any determination the signed document or record filed or to be filed has been properly signed or executed by or on behalf of the filer.

SECTION 2. A new section to chapter 54-09 of the North Dakota Century Code is created and enacted as follows:

Filing signed documents and records with the secretary of state - Use of agent.

1. A person who signs a document submitted to the secretary of state without authority to sign that document or who signs the document knowing the document is false in any material respect is subject to the penalties of perjury or false statement set forth in chapter 12.1-11.

2. Any document submitted to the office of the secretary of state online may be signed by any person as agent of any person whose signature is required by law. The signing party must indicate on the application that the person is acting as the agent of the person whose signature would be required and that the person has been authorized to sign on behalf of the applicant. The name of the person signing, entered on the online application, constitutes a valid signature by such an agent.

3. Any document relating to a filing by a business entity or assumed name submitted to the office of the secretary of state on paper may be signed by any person as agent of any person whose signature is required by law. The signing party must indicate on the document that the signing party is acting as the agent of the person whose signature would be required and that the signing party has been authorized to sign on behalf of that person.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2252.

Senate Vote:	Yeas 47	Nays 0	Absent 0
House Vote:	Yeas 87	Nays 3	Absent 4

Secretary of the Senate

Received by the Governor at 2:18 P.M. on March 19, 2015.

Approved at 12:31 P.M. on March 20, 2015.

Governor

Filed in this office this 20th day of March, 2015,

at 3:50 o'clock P M.

Secretary of State