

By: Paxton

S.B. No. 344

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the use of electronic signatures that employ blockchain  
3 or distributed ledger technology in certain business or  
4 governmental transactions.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 322.002(8), Business & Commerce Code, is  
7 amended to read as follows:

8 (8) "Electronic signature" means an electronic sound,  
9 symbol, or process, including one that employs blockchain or  
10 distributed ledger technology, attached to or logically associated  
11 with a record and executed or adopted by a person with the intent to  
12 sign the record.

13 SECTION 2. Section 322.017, Business & Commerce Code, is  
14 amended by amending Subsections (a) and (c) and adding Subsection  
15 (d) to read as follows:

16 (a) Except as otherwise provided by Subsection (d) or  
17 Section 322.012(f), each state agency shall determine whether, and  
18 the extent to which, the agency will send and accept electronic  
19 records and electronic signatures to and from other persons and  
20 otherwise create, generate, communicate, store, process, use, and  
21 rely upon electronic records and electronic signatures.

22 (c) Except as otherwise provided in Subsection (d) or  
23 Section 322.012(f), this chapter does not require a governmental  
24 agency of this state to use or permit the use of electronic records

1 or electronic signatures.

2 (d) A governmental agency of this state must accept valid  
3 electronic signatures. An electronic signature that employs  
4 blockchain or distributed ledger technology is a valid electronic  
5 signature for:

6 (1) the issuance of an apostille by the secretary of  
7 state, if the apostille may be signed using an electronic  
8 signature; or

9 (2) a contract entered into by a governmental agency  
10 of this state.

11 SECTION 3. This Act takes effect September 1, 2021.