

2001 SESSION

INTRODUCED

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HOUSE BILL NO. 2536

Offered January 10, 2001

Prefiled January 10, 2001

A BILL to amend and reenact § 17.1-256 of the Code of Virginia, relating to electronic filing of documents.

Patron—Phillips

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-256 of the Code of Virginia is amended and reenacted as follows:

§ 17.1-256. (Effective until July 1, 2004) Electronic filing of documents authorized.

A A. *Except as provided in subsection B, a clerk of a circuit court may establish a system for electronic filing of documents as herein provided. Any clerk requesting funding from the Technology Trust Fund under § 17.1-279 to establish an electronic filing system must submit a plan for implementation to the Council of Information Management, or its successor agency or office, for technical review, unless the clerk uses a system developed or authorized by the Supreme Court of Virginia. Once established, federal, state, and local governmental entities, or political subdivisions thereof, and quasi-governmental agencies, corporations, or authorities, including but not limited to Fannie Mae, Freddie Mac, and VHDA, may electronically file land records, instruments, judgments, U.C.C. financing statements, and any other papers in civil or criminal actions approved by the Supreme Court of Virginia. The Supreme Court shall adopt rules governing electronic filing in such actions. The circuit court clerk shall enter into an agreement with each entity which the clerk authorizes to file documents electronically, specifying the receiving station to be used and the electronic filing procedures to be followed, including, but not limited to, security procedures, as defined in Chapter 42.1 (§ 59.1-479 et seq.) of Title 59.1, for transmitting notarized documents. The place of filing is the receiving station designated by the circuit court clerk to which electronic information is transmitted.*

B. *For all land records the clerk shall establish a system for electronic filing of documents. The clerk shall use a system developed or authorized by the Supreme Court of Virginia. Such system shall be standardized throughout the Commonwealth.*

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