

House Bill 2133

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor John A. Kitzhaber for Water Resources Department)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows Water Resources Department to adopt rules allowing receipt of documents by electronic means. Allows department to adopt rules allowing sending of documents by electronic means with consent of recipient. Allows department to reduce or waive fee for documents received or sent by electronic means.

A BILL FOR AN ACT

Relating to the electronic transmittal of documents pertaining to the Water Resources Department.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) Notwithstanding any provision of ORS chapters 536 to 540, 543 or 543A that requires the mailing of a document, the submission of a document in written form or the provision of a certified copy of a document, the Water Resources Department may adopt rules:

(a) Allowing the submission of one or more types of document to the department by electronic means in lieu of submission by mailing or submission in written form;

(b) Allowing the department, with the consent of the recipient, to send one or more types of document in electronic form in lieu of mailing or other sending of the document in written form; or

(c) Identifying acceptable means for verifying the authenticity of a document sent by electronic means in lieu of the provision of a certified copy of the document.

(2) The department may not adopt rules to require the submission of documents to the department by electronic means. The department may not require a recipient to consent to the receipt of documents from the department by electronic means. The department may not use electronic means in lieu of service under ORCP 7 or notice under ORS 183.413 or 183.415.

(3) For purposes of determining timeliness or calculating deadlines, a document sent by electronic means in accordance with department rules is considered to be delivered when sent.

(4) Notwithstanding any provision of ORS chapters 536 to 540, 543 or 543A that specifies a fee amount, the department may reduce or waive the fee for a document that the department sends or receives by electronic means.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.