

HB 2425 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 4/25

WHAT THE MEASURE DOES:

Allows county clerk to accept electronic signatures or records bearing electronic signatures for recording. Defines terms.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Allows county clerks to charge collect fee for electronic delivery of images of records requested by private party.

BACKGROUND:

Current Oregon law requires that instruments conveying an interest in real property contain the original signature of the persons executing the instrument and the officer before whom the acknowledgement of the instrument was made. County clerks may record a certified copy of the instrument if recording is authorized by law and the instrument contains the original certification of the certifying officer. County clerks can also record electronic images, but the statute is not clear on what is required for original signatures in regards to recording electronic documents.

House Bill 2425 includes electronic signatures within the definition of original signatures and clarifies the process for a county clerk to record instruments through electronic means.