WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1965

ENROLLED

HOUSE BILL No. 578

(By Mr. Speaker, Mr. White, Mr. Casper)

PASSED March 18, 1965
In Effect from Passage

FILED IN THE OFFICE OF
JOE R. DURST
SECRETARY OF STATE
THIS DATE 3-18-65
AN ACT to amend chapter six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article fourteen, relating to a uniform facsimile signature of public officials act, and providing penalties.

Be it enacted by the Legislature of West Virginia:

That chapter six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article fourteen, to read as follows:


Section 1. Definitions.—As used in this article:
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(a) "Public security" means a bond, note, certificate of indebtedness or other obligation for the payment of money issued by this state or by any of its departments, agencies, boards, commissions or other instrumentalities or by any of its public corporations, political subdivisions, municipal corporations or other governmental units.

(b) "Instrument of payment" means a check, draft, warrant or order for the payment, delivery or transfer of funds.

(c) "Authorized officer" means any official of this state or of any of its departments, agencies, boards, commissions or other instrumentalities or of any of its public corporations, political subdivisions, municipal corporations, or other governmental units whose signature to a public security or instrument of payment is required or permitted.

(d) "Facsimile signature" means a reproduction by engraving, imprinting, stamping or other means of the manual signature of an authorized officer.

Sec. 2. Facsimile Signature; Use; Legal Effect.—Any authorized officer, after filing with the secretary of state
his manual signature certified by him under oath, may
execute or cause to be executed with a facsimile signature
in lieu of his manual signature:
(a) Any public security, provided that at least one
signature required or permitted to be placed thereon shall
be manually subscribed; and
(b) Any instrument of payment.

Upon compliance with this article by the authorized
officer, his facsimile signature shall have the same legal
effect as his manual signature.

Sec. 3. Facsimile Seal; Use; Legal Effect.—When the
seal of this state or of any of its departments, agencies,
boards, commissions or other instrumentalities or of any
of its public corporations, political subdivisions, municipal
corporations or other governmental units is required in
the execution of a public security or instrument of pay-
ment, the authorized officer may cause the seal to be
printed, engraved, stamped or otherwise placed in fac-
simile thereon. The facsimile seal shall have the same
legal effect as the impression of the seal.

Sec. 4. Use with Intent to Defraud; Penalty.—Any
person who with intent to defraud uses on a public
security or an instrument of payment:
(a) A facsimile signature of any authorized officer or any reproduction of such facsimile signature, or
(b) Any facsimile seal of this state or of any of its departments, agencies, boards, commissions or other instrumentalities or of any of its public corporations, political subdivisions, municipal corporations or other governmental units, or any reproduction of such facsimile seal is guilty of a felony and shall be imprisoned in the penitentiary not less than one nor more than ten years.

Sec. 5. Construction.—This article shall be so construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Sec. 6. Citation.—This article may be known and cited as the "Uniform Facsimile Signature of Public Officials Act."

Sec. 7. Severability Provision.—If any provision of this article or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this article which can be given effect without the invalid provision or applica-
tion and to that end the provisions of this article are
severable.

Sec. 8. Inconsistent Articles Repealed.—All articles
and parts of articles inconsistent with the provisions of
this article are, to the extent of such inconsistency only,
hereby repealed.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 18th day of March, 1965.

Governor