

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965



## ENROLLED

HOUSE BILL No. 578

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



PASSED March 13, 1965

In Effect from Passage



FILED IN THE OFFICE OF  
JOE F. BORDETT  
SECRETARY OF STATE  
THIS DATE 3-18-65

865 #

**ENROLLED**  
**House Bill No. 578**  
(By MR. SPEAKER, MR. WHITE, and MR. CANN)

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[Passed March 13, 1965; in effect from passage.]

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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:

**Article 14. Uniform Facsimile Signatures of Public Officials Act.**

**Section 1. Definitions.**—As used in this article:

2 (a) "Public security" means a bond, note, certificate  
3 of indebtedness or other obligation for the payment of  
4 money issued by this state or by any of its departments,  
5 agencies, boards, commissions or other instrumentalities  
6 or by any of its public corporations, political subdivisions,  
7 municipal corporations or other governmental units.

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

11 (c) "Authorized officer" means any official of this  
12 state or of any of its departments, agencies, boards, com-  
13 missions or other instrumentalities or of any of its public  
14 corporations, political subdivisions, municipal corpora-  
15 tions or other governmental units whose signature to a  
16 public security or instrument of payment is required or  
17 permitted.

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

**Sec. 2. Facsimile Signature; Use; Legal Effect.—Any**

2 authorized officer, after filing with the secretary of state

3 his manual signature certified by him under oath, may  
4 execute or cause to be executed with a facsimile signature  
5 in lieu of his manual signature:

6 (a) Any public security, provided that at least one  
7 signature required or permitted to be placed thereon shall  
8 be manually subscribed; and

9 (b) Any instrument of payment.

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

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

**Sec. 4. Use with Intent to Defraud; Penalty.**—Any  
2 person who with intent to defraud uses on a public  
3 security or an instrument of payment:

4 (a) A facsimile signature of any authorized officer or  
5 any reproduction of such facsimile signature, or

6 (b) Any facsimile seal of this state or of any of its  
7 departments, agencies, boards, commissions or other in-  
8 strumentalities or of any of its public corporations, politi-  
9 cal subdivisions, municipal corporations or other govern-  
10 mental units, or any reproduction of such facsimile seal  
11 is guilty of a felony and shall be imprisoned in the pen-  
12 itentiary not less than one nor more than ten years.

**Sec. 5. Construction.**—This article shall be so con-  
2 strued as to effectuate its general purpose to make uni-  
3 form the law of those states which enact it.

**Sec. 6. Citation.**—This article may be known and cited  
2 as the “Uniform Facsimile Signature of Public Officials  
3 Act.”

**Sec. 7. Severability Provision.**—If any provision of  
2 this article or the application thereof to any person or  
3 circumstance is held invalid, the invalidity shall not affect  
4 other provisions or applications of this article which can  
5 be given effect without the invalid provision or applica-

6 tion and to that end the provisions of this article are  
7 severable.

**Sec. 8. Inconsistent Articles Repealed.**—All articles  
2 and parts of articles inconsistent with the provisions of  
3 this article are, to the extent of such inconsistency only,  
4 hereby repealed.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*A. Ray Parker*  
Chairman Senate Committee

*James W. Loop*  
Chairman House Committee

Originated in the House.

Takes effect from passage.

*Thomas Myers*  
Clerk of the Senate

*A. Blankenship*  
Clerk of the House of Delegates

*Howard W. Carson*  
President of the Senate

*H. John White*  
Speaker House of Delegates

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

*Huey C. Smith*  
Governor

