

UNIFORM FACSIMILE SIGNATURE OF PUBLIC OFFICIALS ACT

Act of Jul. 25, 1961, P.L. 849, No. 367

Cl. 65

AN ACT

Authorizing facsimile signatures and seals of certain public officials; imposing duties upon the Secretary of the Commonwealth; and providing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Definitions.--As used in this act--

(a) "Public Security" means a bond, note, certificate of indebtedness, or other obligation for the payment of money, issued by this Commonwealth or by any of its departments, agencies, authorities, other instrumentalities, any school district, any county of the second class or any authority created by school districts of the Commonwealth.

(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 Commonwealth or any of its departments, agencies, authorities, other instrumentalities, any school district, any county of the second class or any authority created by school districts of the Commonwealth 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.

(Amended December 10, 1974, P.L.828, No.276)

Section 2. Facsimile Signature.--Any authorized officer, after filing with the Secretary of the Commonwealth 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 act by the authorized officer, his facsimile signature has the same legal effect as his manual signature.

Section 3. Use of Facsimile Seal.--When the seal of this Commonwealth or any of its departments, agencies, authorities, other instrumentalities, school districts, any county of the second class, or any authority created by school districts of the Commonwealth is required in execution of a public security or instrument of payment, the authorized officer may cause the seal to be printed, engraved, stamped or otherwise placed in facsimile thereon. The facsimile seal has the same legal effect as the impression of the seal.

(Amended December 10, 1974, P.L.828, No.276)

Section 4. Violation and Penalty.--Any person who with intent to defraud uses on public security or an instrument of payment:

(a) A facsimile signature, or any reproduction of it, of any authorized officer, or

(b) Any facsimile seal, or any reproduction of it, of this Commonwealth or any of its departments, agencies, authorities, other instrumentalities, any school district, any county of the second class, or any authority created by school districts of the Commonwealth is guilty of a felony, and on conviction, shall be sentenced to pay a fine not exceeding five thousand dollars

(\$5,000) or undergo imprisonment by separate or solitary confinement at labor not exceeding five years, or both.

(Amended December 10, 1974, P.L.828, No.276)

Section 5. Uniformity of Interpretation.--This act shall be so construed as to effectuate its general purposes to make uniform the law of those states which enact it.

Section 6. Short Title.--This act shall be known and may be cited as the "Uniform Facsimile Signature of Public Officials Act."

Section 7. Constitutionality.--If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 8. Repeal.--All acts and parts of acts are repealed in so far as they are inconsistent herewith.

Section 9. Effective Date.--This act shall take effect immediately.