

SENATE BILL NO. 23—COMMITTEE ON
HUMAN RESOURCES AND EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
PERSONS WITH DISABILITIES)

PREFILED FEBRUARY 3, 2005

Referred to Committee on Human Resources and Education

SUMMARY—Authorizes certain persons with physical disabilities to use signature stamps under certain circumstances. (BDR 38-690)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to persons with disabilities; authorizing certain persons with physical disabilities to use signature stamps under certain circumstances; requiring the Department of Human Resources to adopt regulations governing the use of a signature stamp including the extent to which persons and governmental entities may incur liability related to the use of a signature stamp; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill authorizes the use of signature stamps by persons with physical disabilities who are unable to write because of their disabilities and creates an exception to any law that requires a handwritten signature. In situations in which a signature must be witnessed or has other qualifying requirements, the person with a disability is required to use the stamp in the presence of a witness and meet any other qualifying requirements.

This bill also requires the Office of Disability Services in the Department of Human Resources to adopt standards regarding the use of signature stamps and requires the Department of Human Resources to adopt regulations regarding the use of signature stamps, including regulations concerning the extent to which certain persons and governmental entities may incur liability related to the use of signature stamps.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 426 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2 and notwithstanding any other provision of law:

(a) A person with a physical disability who, by reason of the physical disability, is unable to write may use a signature stamp to affix his signature to a document or writing any time that a signature is required by law; and

(b) A person, government, governmental agency and political subdivision of a government must treat each signature affixed by a person described in paragraph (a) through the use of a signature stamp in the same manner as it treats a signature made in writing.

2. The provisions of subsection 1 do not apply to a document or writing with respect to which the requirement that the document or writing must be signed is accompanied by an additional qualifying requirement unless each additional qualifying requirement is satisfied.

3. The Office shall develop standards regarding signature stamps for persons with physical disabilities who, by reason of their physical disabilities, are unable to write, including, without limitation, standards pertaining to:

(a) The development of a signature stamp;

(b) The use of a signature stamp;

(c) The verification of a signature stamp; and

(d) Any other aspect of the use or verification of signature stamps that the Office determines to be necessary.

4. The Department shall adopt regulations to carry out the provisions of this section, including, without limitation, regulations:

(a) To carry out the standards developed by the Office pursuant to subsection 3; and

(b) Concerning the extent to which a person who uses a signature stamp and a person, government, governmental agency and political subdivision of a government which treats a signature stamp as the signature of a person pursuant to this section may incur liability related to the use or treatment of the signature stamp.

5. As used in this section, "signature stamp" means a stamp which contains the impression of:

(a) The actual signature of a person with a physical disability;



1 ***(b) A mark or symbol which is adopted by the person with the***
2 ***physical disability; or***

3 ***(c) A signature of the name of a person with a physical***
4 ***disability which is made by another person and which is adopted***
5 ***by the person with the physical disability.***

6 **Sec. 2.** NRS 426.205 is hereby amended to read as follows:

7 426.205 As used in NRS 426.205 to 426.295, inclusive, ***and***
8 ***section 1 of this act,*** unless the context otherwise requires, the
9 words and terms defined in NRS 426.215 and 426.225 have the
10 meanings ascribed to them in those sections.

11 **Sec. 3.** This act becomes effective upon passage and approval
12 for the purpose of adopting regulations and on October 1, 2005, for
13 all other purposes.



