

IC 13-14-13

Chapter 13. Electronic Applications and Reports

IC 13-14-13-1

Applicability

Sec. 1. This chapter applies to the use of an electronic submission for any of the following:

- (1) Satisfaction of a state or federal requirement for reporting to the department.
- (2) Satisfaction of the requirements for an application to the department.
- (3) Submission to the department of any other substitute for a paper document.

As added by P.L.114-2008, SEC.8.

IC 13-14-13-2

Requirements for electronic submissions to the department

Sec. 2. The department may accept the electronic submission of information only if the submission meets the following:

- (1) Requirements of cross-media electronic reporting under 40 CFR 3.
- (2) Procedures established by the department to accept electronic information.

As added by P.L.114-2008, SEC.8. Amended by P.L.159-2011, SEC.17.

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Electronic submissions not required

Sec. 3. The department may not require a person to make electronic submissions under this chapter.

As added by P.L.114-2008, SEC.8.

IC 13-14-13-4

Department adoption of procedures for electronic signatures on electronic documents

Sec. 4. (a) The department may adopt procedures that are consistent with federal law for compliance with this chapter to allow an applicant to submit an electronic document bearing the valid electronic signature of a signatory if that signatory would otherwise be required to sign the paper document for which the electronic document substitutes.

(b) The procedures adopted under subsection (a) may provide for electronic signature standards that are consistent with 40 CFR 3.

As added by P.L.114-2008, SEC.8. Amended by P.L.159-2011, SEC.18.

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Electronic signature requirements; repudiation of electronic signature not permitted

Sec. 5. Information submitted in an acceptable electronic

document under a procedure adopted under section 4 of this chapter must have a signature uniquely assigned. The receiving system for the document must be able to attribute the signature to a specific individual. If an electronic document is submitted under an assigned signature, the signatory may not repudiate responsibility for the signature.

As added by P.L.114-2008, SEC.8.

IC 13-14-13-6

Civil, criminal, and other penalties

Sec. 6. A person is subject to applicable state or federal civil, criminal, or other penalties and remedies for failure to comply with a reporting requirement if the person submits an electronic document that:

- (1) is in place of a paper document under this chapter; and
- (2) fails to comply with the following:
 - (A) Requirements of cross-media electronic reporting under 40 CFR 3.
 - (B) Procedures established by the department to accept electronic information.

As added by P.L.114-2008, SEC.8. Amended by P.L.159-2011, SEC.19.

IC 13-14-13-7

Criminal penalties applicable to information provided in both electronic and other forms

Sec. 7. A person submitting information using an assigned signature is liable under IC 13-30-10 for the information provided and subject to penalties under that chapter, regardless of whether the information submitted is in electronic form or other form.

As added by P.L.114-2008, SEC.8.