

NEVADA REVISED STATUTES

Title 59 - ELECTRONIC RECORDS AND TRANSACTIONS

CHAPTER 720 DIGITAL SIGNATURES

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NRS 720.010 Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 720.020](#) to [720.130](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by 1999, [1953](#); A 2001, [2722](#))

NRS 720.020 “Asymmetric cryptosystem” defined. “Asymmetric cryptosystem” means an algorithm or series of algorithms that provide a secure key pair.

(Added to NRS by 1999, [1953](#))

NRS 720.030 “Certificate” defined. “Certificate” means a computer-based record that:

1. Identifies the certification authority using it;
2. Identifies a subscriber;
3. Sets forth the public key of the subscriber; and
4. Is digitally signed by the certification authority issuing it.

(Added to NRS by 1999, [1953](#))

NRS 720.040 “Certification authority” defined. “Certification authority” means a person who issues a certificate.

(Added to NRS by 1999, [1953](#))

NRS 720.050 “Correspond” defined. “Correspond” means, with reference to keys, belonging to the same key pair.

(Added to NRS by 1999, [1953](#))

NRS 720.060 “Digital signature” defined. “Digital signature” means an electronic signature that transforms a message by using an asymmetric cryptosystem. As used in this section, “electronic signature” has the meaning ascribed to it in [NRS 719.100](#).

(Added to NRS by 1999, [1953](#); A 2001, [2722](#))

NRS 720.070 “Hold a private key” defined. “Hold a private key” means to be authorized to use a private key.

(Added to NRS by 1999, [1954](#))

NRS 720.080 “Key pair” defined. “Key pair” means a private key and its corresponding public key in an asymmetric cryptosystem, which may be used in such a manner that the public key can verify a digital signature created by the private key.

(Added to NRS by 1999, [1954](#))

NRS 720.090 “Message” defined. “Message” means a digital representation of information.

(Added to NRS by 1999, [1954](#))

NRS 720.100 “Private key” defined. “Private key” means the key of a key pair used to create a digital signature.

(Added to NRS by 1999, [1954](#))

NRS 720.110 “Public key” defined. “Public key” means the key of a key pair used to verify a digital signature.

(Added to NRS by 1999, [1954](#))

NRS 720.115 “Record” defined. “Record” has the meaning ascribed to it in [NRS 719.150](#).

(Added to NRS by 2001, [2721](#))

NRS 720.120 “Subscriber” defined. “Subscriber” means a person who:

1. Is identified as such in a certificate;
2. Accepts the certificate; and
3. Holds the private key that corresponds to the public key set forth in the certificate.

(Added to NRS by 1999, [1954](#))

NRS 720.130 “Verify a digital signature” defined. “Verify a digital signature” means, in relation to a given digital signature, message and public key, to determine accurately that:

1. The digital signature was created by the private key corresponding to the public key; and
2. The message has not been altered since the digital signature was created.
(Added to NRS by 1999, [1954](#))

NRS 720.140 Applicability of chapter.

1. The provisions of this chapter apply to any transaction for which a digital signature is used to sign an electronic record.
2. As used in this section, “electronic record” has the meaning ascribed to it in [NRS 719.090](#).
(Added to NRS by 1999, [1954](#); A 2001, [2722](#))

NRS 720.150 Adoption of regulations by Secretary of State. The Secretary of State shall adopt regulations regarding digital signatures, including, without limitation, regulations pertaining to:

1. The use of a digital signature, including, without limitation, standards for the commercial use of a digital signature;
2. Licensure of a certification authority, including, without limitation, professional standards that a certification authority must meet in conducting its business;
3. The verification of a digital signature;
4. The liability that may be incurred by a subscriber, certification authority or recipient of a message transformed by a digital signature, including, without limitation, the limitation of such liability;
5. The use of a digital signature as an acknowledgment, as that term is defined in [NRS 240.002](#);
6. The issuance of injunctions and orders and the imposition of civil penalties pursuant to [NRS 720.190](#);
7. The status of a private key as personal property;
8. The responsibilities of a subscriber with respect to the use and handling of a private key;
9. The confidentiality of information represented in a message that is transformed by a digital signature; and
10. Any other aspect of the use or verification of digital signatures that the Secretary of State determines to be necessary.
(Added to NRS by 1999, [1955](#))

NRS 720.160 Use of digital signature.

1. Except as otherwise provided in this section, if each person who will be involved in the submission and acceptance of a record agrees to the use of a digital signature, the use of a message which:
 - (a) Represents the record; and
 - (b) Is transformed by a digital signature,constitutes a sufficient signing of the record.
2. The provisions of this section do not apply with respect to:
 - (a) A record that is required to be signed in the presence of a third party; or

(b) A record with respect to which the requirement that the record must be signed is accompanied by an additional qualifying requirement.

(Added to NRS by 1999, [1954](#); A 2001, [2722](#))

NRS 720.180 Licensure of certification authorities: Requirement; fee.

1. A person shall not conduct business as a certification authority without first obtaining a license as a certification authority from the Secretary of State.

2. The Secretary of State may charge a reasonable fee for such licensure.

(Added to NRS by 1999, [1955](#))

NRS 720.190 Enforcement of chapter: Injunctions and other orders; civil penalty. The Secretary of State may:

1. Issue injunctions and orders to enforce the provisions of this chapter and any regulations adopted by the Secretary of State pursuant thereto.

2. Impose a civil penalty not to exceed \$10,000 for a willful violation of a provision of this chapter or a regulation adopted by the Secretary of State pursuant thereto.

(Added to NRS by 1999, [1955](#))

NRS 720.200 Unlawful acts; penalty.

1. It is unlawful for a person to:

(a) Forge a digital signature; or

(b) Provide false information knowingly to the Secretary of State with respect to any provision of this chapter or a regulation adopted pursuant thereto that requires such a person to provide information to the Secretary of State.

2. A person who violates the provisions of subsection 1 is guilty of a gross misdemeanor.

3. As used in this section, “forge a digital signature” means to create a digital signature that:

(a) Is not authorized by the person who holds the private key used to create the digital signature; or

(b) Although verifiable by a public key, the certificate that contains the public key identifies a subscriber who:

(1) Does not exist; or

(2) Does not hold the private key that corresponds to the public key contained in the certificate.

(Added to NRS by 1999, [1955](#))