

SB 240 A STAFF MEASURE SUMMARY

Senate Committee On Business and General Government

Action Date: 04/09/19

Action: Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

Vote: 3-2-0-0

Yeas: 3 - Dembrow, Hass, Riley

Nays: 2 - Girod, Olsen

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 4/9

WHAT THE MEASURE DOES:

Requires each governmental agency of this state to use electronic records and electronic signatures by July 1, 2020. Directs each governmental agency to submit plans for website modernization and use of electronic records and electronic signatures to State CIO and appropriate committee or interim committee of the Legislative Assembly by September 15, 2020. Directs each governmental agency to ensure its websites effectively render on mobile devices and are accessible for persons with disabilities by July 1, 2021. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Inconsistent use of electronic records and signatures across state agencies
- Cost of compliance for local governments
- Potential amendments to limit application to state agencies

EFFECT OF AMENDMENT:

Replaces requirement to submit plans to State CIO by July 1, 2020, with requirement to submit plans to State CIO and appropriate committee or interim committee of the Legislative Assembly by September 15, 2020.

BACKGROUND:

In 2001, the Legislative Assembly enacted the Uniform Electronic Transactions Act. The statute states that a record or signature may not be denied effect or enforceability because it is in electronic form, and paved the way for widespread use of electronic records and signatures. The statute also requires each governmental agency to determine if it will accept electronic records and signatures, and allows each agency to determine the manner and format in which electronic records and signatures must be created, communicated, and stored.

Senate Bill 240-A requires governmental agencies to use electronic records and signatures by July 1, 2020. The measure also requires all governmental agencies to ensure websites are accessible on mobile devices and to persons with disabilities by July 1, 2021. Governmental agencies must submit modernization plans to the State CIO and the Legislative Assembly by September 15, 2020.