February 15, 2011

Mr. President:

The Business and Labor Committee reports a favorable recommendation on **S.B. 55**, ELECTRONIC SIGNATURES, by Senator S. Urquhart, with the following amendments:

1. *Page 1, Lines 12 through 13:*

    ‣ **defines "state governmental agency";**

    12 ‣ requires a **state** governmental agency to adopt a policy concerning electronic signatures

    13 before the governmental agency may accept an electronic signature; and

2. *Page 2, Lines 39 through 40:*

    (1) As used in this section:
    (a) "State governmental agency" means a state board, authority, commission, institution, department, division, officer, or other state government entity, which is authorized or required by law to make rules, adjudicate, grant or withhold licenses, grant or withhold relief from legal obligations, or perform other similar actions or duties delegated by law.
    (b) "State governmental agency" does not include the legislature, its committees, the political subdivisions of the state, or the courts.

    39 { **(1)** } **(2)** (a) Notwithstanding any other provision of law, a { **non-federal** } **state** governmental agency

    40 { **located in the state** } may not accept an electronic signature unless the

state governmental agency

3. *Page 2, Lines 47 through 48:*

47   (b) Subsection   { **(1)(a)** }   **(2)(a)**   applies to an electronic signature without regard to whether the
48   governmental agency is a party to the document, transaction, or other filing.

4. *Page 2, Line 49:*

49   [(1)]   { **(2)** }   **(3)**   A state governmental agency may, [by following the procedures and

5. *Page 3, Line 68:*

68   [(2)]   { **(3)** }   **(4)**   A state governmental agency that makes rules under this section shall submit

6. *Page 3, Line 72:*

72   [(3)]   { **(4)** }   **(5)**   (a) The chief information officer may prepare model rules and standards

7. *Page 3, Line 82:*

82   [(d)] (c) Nothing in this Subsection [(3)]   { **(4)** }   **(5)**   requires a state
    governmental   agency to use the model

8. *Page 3, Lines 85 through 86:*

85   [(4)]   { **(5)** }   **(6)**   Except as provided in Subsection 46-4-301(6), nothing in this chapter requires
86   any   { + }   **state**   { + }   governmental agency to:

9. *Page 3, Line 89:*

89   [(5)]   {(6)}   (7)   Each state governmental agency shall:

10. *Page 4, Lines 110 through 111:*

110   (d) "Sign" or "signature" may include any form of electronic signature authorized by

111   the governmental agency .   { in accordance with Section 46-4-501. }

Respectfully,

John L. Valentine
Committee Chair

Voting: 6-0-2
3 SB0055.SC1.WPD /BRH PLA/RCN   2/15/11 4:55 pm