



General Assembly

Amendment

February Session, 2012

LCO No. 5213

HB0552105213HDO

Offered by:

REP. MORIN, 28th Dist.
SEN. SLOSSBERG, 14th Dist.
SEN. MCLACHLAN, 24th Dist.
REP. GODFREY, 110th Dist.
REP. GIEGLER, 138th Dist.
REP. PERONE, 137th Dist.
REP. HENNESSY, 127th Dist.
REP. CARTER, 2nd Dist.

REP. TABORSAK, 109th Dist.
REP. FOX, 146th Dist.
REP. FOX, 148th Dist.
REP. TONG, 147th Dist.
REP. MILLER P., 145th Dist.
SEN. DUFF, 25th Dist.
SEN. LEONE, 27th Dist.
REP. SAYERS, 60th Dist.

To: Subst. House Bill No. 5521

File No. 491

Cal. No. 367

"AN ACT CONCERNING A STUDY OF ELECTRONIC OR DIGITAL METHODS OF COMMUNICATION IN LIEU OF MAILED COMMUNICATIONS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2012*) Wherever in the general
4 statutes or public acts the term "electronic mail" is used, such term
5 shall be deemed to include an electronic delivery service that delivers
6 communications to their intended recipients by matching an electronic
7 mail address to a person's United States Postal Service physical
8 address and uses security methods such as passwords or encryption.

9 Sec. 2. Section 1-267 of the general statutes is repealed and the
10 following is substituted in lieu thereof (*Effective October 1, 2012*):

11 As used in sections 1-266 to 1-286, inclusive:

12 (1) "Agreement" means the bargain of the parties in fact, as found in
13 their language or inferred from other circumstances and from rules,
14 regulations and procedures given the effect of agreements under laws
15 otherwise applicable to a particular transaction.

16 (2) "Automated transaction" means a transaction conducted or
17 performed, in whole or in part, by electronic means or electronic
18 records in which the acts or records of one or both parties are not
19 reviewed by an individual in the ordinary course of forming a
20 contract, performing under an existing contract or fulfilling an
21 obligation required by the transaction.

22 (3) "Computer program" means a set of statements or instructions to
23 be used directly or indirectly in an information processing system in
24 order to bring about a certain result.

25 (4) "Contract" means the total legal obligation resulting from the
26 parties' agreement as affected by sections 1-266 to 1-286, inclusive, and
27 other applicable law.

28 (5) "Electronic" means relating to technology having electrical,
29 digital, magnetic, wireless, optical or electromagnetic capabilities or
30 similar capabilities.

31 (6) "Electronic agent" means a computer program or an electronic or
32 other automated means used independently to initiate an action or
33 respond to electronic records or performances, in whole or in part,
34 without review or action by an individual.

35 (7) "Electronic record" means a record created, generated, sent,
36 communicated, received or stored by electronic means, including, but
37 not limited to, facsimiles, electronic mail, telexes, [and] Internet
38 messaging and an electronic delivery service that delivers

39 communications to their intended recipients while using a security
40 procedure.

41 (8) "Electronic signature" means an electronic sound, symbol or
42 process attached to or logically associated with a record and executed
43 or adopted by a person with the intent to sign the record.

44 (9) "Governmental agency" means an executive, legislative or
45 judicial agency, department, board, commission, authority, institution
46 or instrumentality of a state or of a county, municipality or other
47 political subdivision of a state.

48 (10) "Information" means data, text, images, sounds, codes,
49 computer programs, software, databases or the like.

50 (11) "Information processing system" means an electronic system for
51 creating, generating, sending, receiving, storing, displaying or
52 processing information.

53 (12) "Person" has the same meaning as provided in subsection (k) of
54 section 1-1.

55 (13) "Record" means information that is inscribed on a tangible
56 medium or that is stored in an electronic or other medium and is
57 retrievable in perceivable form.

58 (14) "Security procedure" means a procedure employed for the
59 purpose of verifying that an electronic signature, record or
60 performance is that of a specific person or for detecting changes or
61 errors in the information in an electronic record, including a method
62 that matches an electronic mail address to a person's United States
63 Postal Service physical address and a procedure that requires the use
64 of algorithms or other codes, identifying words or numbers,
65 encryption or callback or other acknowledgment procedures.

66 (15) "State" means a state of the United States, the District of
67 Columbia, Puerto Rico, the United States Virgin Islands or any
68 territory or insular possession subject to the jurisdiction of the United

69 States, including an Indian tribe or band, or an Alaskan native village,
70 that is recognized by federal law or formally acknowledged by a state.

71 (16) "Transaction" means an action or set of actions occurring
72 between two or more persons relating to the conduct of business,
73 consumer, commercial, charitable or governmental affairs.

74 Sec. 3. Section 4-60r of the 2012 supplement to the general statutes is
75 repealed and the following is substituted in lieu thereof (*Effective*
76 *October 1, 2012*):

77 Each state agency of the Executive Department of the state
78 government shall review its existing policies concerning the mailing of
79 notifications or other documents to clients of such agency and shall use
80 electronic notification and correspondence with such clients where
81 deemed appropriate by such agency and where not in conflict with
82 any provision of the general statutes. [If such notification or
83 correspondence is mandated by a provision of the general statutes to
84 be sent by first class mail, the agency may request the joint standing
85 committee of the General Assembly having cognizance of matters
86 relating to such agency to introduce legislation to provide for the
87 electronic transmission of such notification or correspondence.]"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	New section
Sec. 2	<i>October 1, 2012</i>	1-267
Sec. 3	<i>October 1, 2012</i>	4-60r