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## OLR Bill Analysis

**sHB 5521 (File 491, as amended by House "A")\***

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

#### **SUMMARY:**

This bill specifies that "electronic mail" as used in the general statutes and public acts includes an electronic delivery service that (1) delivers communications to their intended recipients by matching an e-mail address to a person's U.S. Postal Service physical address and (2) uses security methods such as passwords or encryption.

The bill expands two definitions under the Connecticut Uniform Electronic Transactions Act (CUETA) to accommodate this change (see BACKGROUND). It specifies that (1) an "electronic record" may be sent, received, or stored through an electronic delivery service that uses a security procedure, among other means, and (2) a "security procedure" includes matching an e-mail address to a person's U.S. Postal Service physical address, among other verification methods.

The bill also requires executive branch agencies to (1) review their existing policies concerning the mailing of all agency documents to their clients and (2) use electronic notification correspondence when they deem it appropriate and not in conflict with the law. Current law requires them to do this for notifications only.

Lastly, the bill eliminates a provision allowing state agencies to request their legislative committees of cognizance to introduce legislation providing for the electronic transmission of correspondence that the law currently requires be sent by first class mail. However, nothing in the law prohibits agencies from making such requests.

\*House Amendment "A" replaces the original file, which required the Department of Administrative Services to study the feasibility of

allowing public agencies and business entities to send communications using digital or electronic mail instead of by first class mail.

EFFECTIVE DATE: October 1, 2012

**BACKGROUND**

**CUETA**

CUETA establishes a legal foundation for the use of electronic communications in transactions where the parties, including state and local government agencies, have agreed to conduct business electronically. It validates the use of electronic records and signatures and places electronic commerce and paper-based commerce on the same legal footing. It does not specifically authorize agencies to send notices, or any type of certified or registered mail, by e-mail. Instead, it sets requirements with which electronic transmissions must comply (CGS §§ 1-266 to 1-286).

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 15    Nay 0    (03/29/2012)