

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 12-185—sHB 5521

Government Administration and Elections Committee

AN ACT CONCERNING THE USE OF AN ELECTRONIC DELIVERY SERVICE UNDER THE CONNECTICUT UNIFORM ELECTRONIC TRANSACTIONS ACT AND DEFINING ELECTRONIC MAIL

SUMMARY: This act 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 act 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 act 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 correspondence when they deem it appropriate and not in conflict with the law. Prior law required them to do this for notifications only.

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

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).

OLR Tracking: TA:JH:PF:ts