

ENROLLED HOUSE
BILL NO. 1690

By: Perry and Deutschendorf
of the House

and

Robinson of the Senate

An Act relating to state government; recognizing the importance of electronic signature technology; stating reasons for legislative regulation of electronic signature legislation; creating the Task Force on Electronic Signature Technology; stating purpose of the Task Force; providing for membership; providing for meetings and officers; stating duties of the Task Force; requiring submission of report to certain entities; requiring final report by certain date; providing for reimbursement; allowing for technical assistance; providing for staffing; providing for noncodification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. The Oklahoma Legislature recognizes the importance of the facilitation of electronic signature technology to the economic development of the state and the efficient delivery of government services. Electronic signature technology provides a means by which letters, characters, or symbols which are manifest by electronic or similar means are executed or adopted by a party with the intent to authenticate a writing. Legislative regulation of electronic signature technology can not only facilitate economic development and the efficient delivery of governmental service by means of reliable electronic messages, but also enhance public confidence in the use of electronic signatures, minimize the incidence of forged electronic signatures and fraud in electronic commerce, foster the development of electronic commerce through the use of electronic signatures and assure that proper management oversight and accountability are maintained for electronic commerce conducted by state agencies and private industry.

SECTION 2. A. There is hereby created to continue until July 1, 1998, the Task Force on Electronic Signature Technology. The purpose of the Task Force shall be to study the technology of and applications for electronic signatures and to prepare recommendations for legislative and other action needed to assure the availability and use of electronic signature technology in the state.

B. The Task Force shall be composed of twenty-two (22) members as follows:

1. The Secretary of State or designee;
2. The Director of State Finance or designee;

3. The Director of the Information Services Division of the Office of State Finance or designee;
4. The Attorney General or designee;
5. The Director of the Department of Central Services or designee;
6. The Director of the Oklahoma Department of Commerce or designee;
7. The Chancellor of the Oklahoma State Regents for Higher Education;
8. Two members of the House of Representatives appointed by the Speaker of the House of Representatives;
9. Two members of the Senate appointed by the President Pro Tempore of the Senate;
10. Two members who represent a business association to be appointed by the Governor;
11. Two members who represent the banking industry to be appointed by the Governor;
12. Two members who represent the insurance industry to be appointed by the Governor;
13. Two members of the Oklahoma Bar Association to be appointed by the Governor;
14. One member who represents large manufacturing businesses to be appointed by the Governor;
15. One member who represents small manufacturing businesses to be appointed by the Governor; and
16. One member from a software or computer services business entity.

Required appointments shall be made on or before August 1, 1997.

C. The Governor shall call the first meeting of the Task Force, with subsequent meetings to be held at the call of the chairperson. At the first meeting, the Task Force shall elect a chairperson and vice-chairperson from among its members. The Task Force shall meet monthly at such time as established by the chairperson.

D. The Task Force shall:

1. Study the technology of and applications for electronic signatures;
2. Review and compare electronic signature legislation from other states;
3. Survey vendors which have developed technology for electronic signatures and review the available technology;
4. Study the cost of implementing and maintaining a state electronic signature certification program;
5. Make recommendations on an appropriate fee structure for a state electronic signature certification program; and
6. Make recommendations for implementing electronic commerce procedures for state agencies.

E. On or before December 1, 1997, the Task Force shall submit a report of the findings and recommendations of the Task Force to the House of Representatives Science and Technology Committee, the State Data Processing and Telecommunications Advisory Committee and the legislative committee in the State Senate responsible for technology issues for review and input.

F. On or before January 1, 1998, the Task Force shall issue a final report of findings and recommendations to the Governor, the Legislature, each member of the Governor's cabinet and appropriate state agencies. The Task Force shall continue to meet monthly until July 1, 1998, to continue to carry out the duties of the Task Force and make recommendations concerning any possible legislative action.

G. Members of the Task Force shall receive no compensation for serving on the Task Force, but shall receive travel reimbursement as follows:

1. Legislative members of the Task Force shall be reimbursed for their necessary travel expenses incurred in the performance of their duties in accordance with Section 456 of Title 74 of the Oklahoma Statutes from the legislative body in which they serve;

2. State agency employees who are members of the Task Force shall be reimbursed for travel expenses incurred in the performance of their duties by their respective agencies in accordance with the State Travel Reimbursement Act; and

3. All other Task Force members shall be reimbursed by the Oklahoma Department of Commerce for travel expenses incurred in performance of their duties on the Task Force, in accordance with the State Travel Reimbursement Act.

H. As necessary to carry out its charge, the Task Force may seek technical assistance from specialists in electronic signature technology.

I. Staffing for the Task Force shall be provided jointly by the Office of the Secretary of State and the Oklahoma Department of Commerce.

SECTION 3. NONCODIFICATION The provisions of Sections 1 and 2 of this act shall not be codified in the Oklahoma Statutes.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 5th day of March, 1997.

Speaker of the House of
Representatives

Passed the Senate the 8th day of April, 1997.

President of the Senate