

This bill provides that a record or signature may not be denied legal effect or enforceability solely because it is in electronic form. The bill applies only to transactions in which each party has agreed to conduct transactions by electronic means. If a law requires a signature or record to be notarized, acknowledged, verified or made under oath, the bill recognizes the electronic signature of a person authorized to perform those acts for electronic signatures or records.

Senate Bill 3, which was passed by the General Assembly and signed by me on April 25, 2000, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 18.

Sincerely,
Parris N. Glendening
Governor

House Bill No. 18

AN ACT concerning

Commercial Law - The Maryland Uniform Electronic Transactions Act

FOR the purpose of adopting the Maryland Uniform Electronic Transactions Act; exempting transactions that are governed by certain laws *and regulations* from the application of this Act; limiting the application of this Act to certain transactions where the parties have agreed to conduct transactions electronically; providing that an agreement to conduct a transaction electronically may not be contained in a standard form contract under certain circumstances; providing that an agreement to conduct a transaction electronically may not be inferred solely from certain facts; providing that a record or signature may not be denied legal effect or enforceability solely because it is in electronic form; providing that a contract may not be denied legal effect or enforceability solely because an electronic record was used in its formation; providing that the requirements of certain laws that specify a record or signature be in written form are met by an electronic record or electronic signature under certain circumstances; authorizing certain provisions of this Act to be varied by agreement; prohibiting certain provisions of this Act ~~to be from~~ being varied by agreement; providing that the requirements of certain laws that specify that a person provide, send, or deliver information in writing are met by the providing, sending, or delivering of an electronic record under certain circumstances; specifying that certain electronic records or electronic signatures may be attributed to a person under certain circumstances; specifying the legal effect of certain changes or errors; providing that an authorized individual may meet the requirements of certain laws through the use of an electronic signature under certain circumstances; providing that the requirements of certain laws that specify certain records be retained are met by retention of an electronic record under certain circumstances; providing that signatures and records may not be excluded as evidence in a proceeding solely because they are in electronic form; establishing rules for the formation of a contract in an automated transaction; establishing rules for determining the time and place of sending of