

INDIVIDUAL MAY AVOID THE EFFECT OF AN ELECTRONIC RECORD THAT RESULTED FROM AN ERROR MADE BY THE INDIVIDUAL IN DEALING WITH THE ELECTRONIC AGENT OF ANOTHER PERSON IF THE ELECTRONIC AGENT DID NOT PROVIDE AN OPPORTUNITY FOR THE PREVENTION OR CORRECTION OF THE ERROR AND, AT THE TIME THE INDIVIDUAL LEARNS OF THE ERROR, THE INDIVIDUAL:

(I) PROMPTLY NOTIFIES THE OTHER PERSON OF THE ERROR AND THAT THE INDIVIDUAL DID NOT INTEND TO BE BOUND BY THE ELECTRONIC RECORD RECEIVED BY THE OTHER PERSON;

(II) TAKES REASONABLE STEPS, INCLUDING STEPS THAT CONFORM TO THE OTHER PERSON'S REASONABLE INSTRUCTIONS, TO RETURN TO THE OTHER PERSON OR, IF INSTRUCTED BY THE OTHER PERSON, TO DESTROY THE CONSIDERATION RECEIVED, IF ANY, AS A RESULT OF THE ERRONEOUS ELECTRONIC RECORD; AND

(III) HAS NOT USED OR RECEIVED ANY BENEFIT OR VALUE FROM THE CONSIDERATION, IF ANY, RECEIVED FROM THE OTHER PERSON;

(3) IF NEITHER ITEM (1) NOR ITEM (2) OF THIS SECTION APPLIES, THE CHANGE OR ERROR HAS THE EFFECT PROVIDED BY OTHER LAW, INCLUDING THE LAW OF MISTAKE, AND THE PARTIES' CONTRACT, IF ANY; AND

(4) ITEMS (2) AND (3) OF THIS SECTION MAY NOT BE VARIED BY AGREEMENT.

21-110. NOTARIZATION AND ACKNOWLEDGMENT.

IF A LAW REQUIRES A SIGNATURE OR RECORD TO BE NOTARIZED, ACKNOWLEDGED, VERIFIED, OR MADE UNDER OATH, THE REQUIREMENT IS SATISFIED IF THE ELECTRONIC SIGNATURE OF THE PERSON AUTHORIZED TO PERFORM THOSE ACTS, TOGETHER WITH ALL OTHER INFORMATION REQUIRED TO BE INCLUDED BY OTHER APPLICABLE LAW, IS ATTACHED TO OR LOGICALLY ASSOCIATED WITH THE SIGNATURE OR RECORD.

21-111. RETENTION OF ELECTRONIC RECORDS; ORIGINALS.

(A) IF A LAW REQUIRES THAT A RECORD BE RETAINED, THE REQUIREMENT IS SATISFIED BY RETAINING AN ELECTRONIC RECORD OF THE INFORMATION IN THE RECORD WHICH:

(1) ACCURATELY REFLECTS THE INFORMATION SET FORTH IN THE RECORD ~~AFTER~~ AT THE TIME IT WAS FIRST GENERATED IN ITS FINAL FORM AS AN ELECTRONIC RECORD OR OTHERWISE; AND

(2) REMAINS ACCESSIBLE FOR LATER REFERENCE.

(B) A REQUIREMENT TO RETAIN A RECORD IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION DOES NOT APPLY TO ANY INFORMATION THE SOLE PURPOSE OF WHICH IS TO ENABLE THE RECORD TO BE SENT, COMMUNICATED, OR RECEIVED.