

(B) TO THE EXTENT A GOVERNMENTAL AGENCY USES ELECTRONIC RECORDS AND ELECTRONIC SIGNATURES UNDER SUBSECTION (A) OF THIS SECTION, THE GOVERNMENTAL AGENCY, GIVING DUE CONSIDERATION TO SECURITY, MAY SPECIFY:

(1) THE MANNER AND FORMAT IN WHICH THE ELECTRONIC RECORDS MUST BE CREATED, GENERATED, SENT, COMMUNICATED, RECEIVED, AND STORED AND THE SYSTEMS ESTABLISHED FOR THOSE PURPOSES;

(2) THE ELECTRONIC RECORDS MUST BE SIGNED BY ELECTRONIC MEANS, THE TYPE OF ELECTRONIC SIGNATURE REQUIRED, THE MANNER AND FORMAT IN WHICH THE ELECTRONIC SIGNATURE MUST BE AFFIXED TO THE ELECTRONIC RECORD, AND THE IDENTITY OF, OR CRITERIA THAT MUST BE MET BY, ANY THIRD PARTY USED BY A PERSON FILING A DOCUMENT TO FACILITATE THE PROCESS;

(3) CONTROL PROCESSES AND PROCEDURES AS APPROPRIATE TO ENSURE ADEQUATE PRESERVATION, DISPOSITION, INTEGRITY, SECURITY, CONFIDENTIALITY, AND AUDITABILITY OF ELECTRONIC RECORDS; AND

(4) ANY OTHER REQUIRED ATTRIBUTES FOR ELECTRONIC RECORDS WHICH ARE SPECIFIED FOR CORRESPONDING NONELECTRONIC RECORDS OR REASONABLY NECESSARY UNDER THE CIRCUMSTANCES.

(C) EXCEPT AS OTHERWISE PROVIDED IN ~~§ 21-112(F)~~ § 21-111(F) OF THIS TITLE, THIS TITLE DOES NOT REQUIRE A GOVERNMENTAL AGENCY OF THIS STATE TO USE OR PERMIT THE USE OF ELECTRONIC RECORDS OR ELECTRONIC SIGNATURES.

#### 21-118. INTEROPERABILITY.

(A) A GOVERNMENTAL AGENCY OF THIS STATE THAT ADOPTS STANDARDS IN ACCORDANCE WITH § 21-117 OF THIS TITLE MAY ENCOURAGE AND PROMOTE CONSISTENCY AND INTEROPERABILITY WITH SIMILAR REQUIREMENTS ADOPTED BY OTHER GOVERNMENTAL AGENCIES OF THIS STATE, OTHER STATES, THE FEDERAL GOVERNMENT, AND NONGOVERNMENTAL PERSONS INTERACTING WITH GOVERNMENTAL AGENCIES OF THIS STATE.

(B) IF APPROPRIATE, THOSE STANDARDS MAY SPECIFY DIFFERING LEVELS OF STANDARDS FROM WHICH GOVERNMENTAL AGENCIES OF THIS STATE MAY CHOOSE IN IMPLEMENTING THE MOST APPROPRIATE STANDARD FOR A PARTICULAR APPLICATION.

(C) STANDARDS ADOPTED BY UNITS OF STATE GOVERNMENT SHALL BE CONSISTENT WITH THOSE SPECIFIED IN THE STATE INFORMATION TECHNOLOGY MASTER PLAN.

#### 21-119. SEVERABILITY CLAUSE.

IF ANY PROVISION OF THIS TITLE OR ITS APPLICATION TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID, THE INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THIS TITLE WHICH CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF THIS TITLE ARE SEVERABLE.