

(C) (1) ~~THE PROVISIONS OF THIS SECTION ONLY APPLY TO COMMUNICATIONS WITHIN OR BETWEEN STATE AGENCIES~~ THIS SECTION APPLIES ONLY TO COMMUNICATIONS:

- (I) WITHIN OR BETWEEN AGENCIES; OR
- (II) BETWEEN AGENCIES AND GOVERNMENTAL ENTITIES.

(2) SUBJECT TO THE PROVISIONS OF THIS SECTION, ANY AGENCY PARTICIPATING IN THE PILOT MAY ESTABLISH METHODS AND PROCEDURES TO ALLOW FOR THE USE OF A DIGITAL SIGNATURE IN ANY COMMUNICATION IN WHICH A SIGNATURE IS REQUIRED OR USED WITHIN THE AGENCY OR BETWEEN THE AGENCY AND ANOTHER AGENCY OR GOVERNMENTAL ENTITY.

(3) THE USE OF A DIGITAL SIGNATURE UNDER THIS SECTION SHALL HAVE THE SAME FORCE AND EFFECT AS THE USE OF A MANUAL SIGNATURE ~~IF AND ONLY IF IT EMBODIES ALL OF THE FOLLOWING ATTRIBUTES:~~

- (I) ~~IT IS UNIQUE TO THE SIGNER USING IT;~~
- (II) ~~IT IS CAPABLE OF VERIFICATION;~~
- (III) ~~IT IS UNDER THE SOLE CONTROL OF THE SIGNER USING IT;~~
- (IV) ~~IT IS LINKED TO DATA IN SUCH A MANNER THAT IF THE DATA ARE CHANGED, THE DIGITAL SIGNATURE IS INVALIDATED; AND~~
- (V) ~~IT CONFORMS TO REGULATIONS ADOPTED BY THE SECRETARY OF STATE.~~

(4) NOTHING IN THIS SECTION SHALL REQUIRE AN AGENCY OR GOVERNMENTAL ENTITY TO USE OR ~~PERMIT THE USE OF~~ ACCEPT A DIGITAL SIGNATURE.

(D) (1) THE SECRETARY OF STATE SHALL ADOPT REGULATIONS TO IMPLEMENT AND ADMINISTER A METHOD USED UNDER THE PILOT TO CONDUCT AUTHENTICATED ELECTRONIC TRANSACTIONS USING DIGITAL SIGNATURES.

(2) THE USE OF A DIGITAL SIGNATURE UNDER THIS SECTION SHALL CONFORM TO STATE REGULATIONS GOVERNING ELECTRONIC RECORDS ADOPTED BY THE STATE ARCHIVES.

SECTION 2. AND BE IT FURTHER ENACTED, That the State agencies participating in the digital signature pilot program shall submit an interim report to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly by ~~October 1, January 1, 1999~~ 1999 on the procedures developed for the use of digital signatures and the experience and effectiveness of the pilot program. The State agencies participating in the pilot program shall submit a final report to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly by October 1, 1999.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 1998.