For An Act To Be Entitled

AN ACT TO REQUIRE STATE AGENCIES TO USE OR PERMIT THE USE OF ELECTRONIC RECORDS AND ELECTRONIC SIGNATURES NO LATER THAN JUNE 30, 2009; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO REQUIRE STATE AGENCIES TO USE OR PERMIT THE USE OF ELECTRONIC RECORDS AND ELECTRONIC SIGNATURES NO LATER THAN JUNE 30, 2009.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 25, Chapter 18, is amended to add an additional subchapter to read as follows:

SUBCHAPTER 7. ELECTRONIC RECORDS AND SIGNATURES


All state agencies shall use or permit the use of electronic records and electronic signatures.


(a)(1) The Executive Chief Information Officer shall establish standards and policies governing the use, management, retention, privacy, and security of electronic records of state agencies.

(b) The standards and policies shall address:
(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) Differing levels of criteria from which state agencies may choose in implementing the most appropriate standard for a particular application;

(3) The use of electronic signatures, including without limitation, the type of electronic signature required, the manner and format in which the electronic signature must be affixed to the electronic record, the identification of the author of an electronic record, and the verification or authentication of the signature of the author of an electronic record;

(4) Control processes and procedures as appropriate to ensure adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records; and

(5) Any other required attributes for electronic records that are reasonably necessary under the circumstances.

(c) The Executive Chief Information Officer shall make a monthly report to the Joint Committee on Advanced Communications and Information Technology regarding the status of the development of the standards and policies described in this section.


A state agency may use the standards and policies developed by the Executive Chief Information Officer under § 25-18-702 or it may develop its own standards and policies consistent with the requirements established in § 25-18-702(b).

SECTION 2. NOT TO BE CODIFIED.


(b) The initial standards and policies governing the use, management, retention, privacy, and security of electronic signatures and electronic records of state agencies required in Arkansas Code § 25-18-702 shall be established by the Executive Chief Information Officer no later than June 30, 2008.
SECTION 3. NOT TO BE CODIFIED. If House Bill 2586 of the Eighty-sixth General Assembly is enacted and the position of Executive Chief Information Officer is eliminated, the Arkansas Code Revision Commission is directed to replace all references in this act to "Executive Chief Information Officer" with "Director of the Department of Information Systems".

/s/ Laverty

APPROVED: 3/30/2007