

January 21, 2020

The Honorable Paul Pinsky, Chair
Education, Health & Environmental Affairs Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

Dear Chairman Pinsky:

The Department of Information Technology (DoIT) is providing this letter of support for Senate Bill 83 - State Government - Delivery of Notices and Communications by Electronic Means - Authorized. DoIT serves the citizens of Maryland by empowering Executive Branch agencies to work more efficiently, effectively, and securely than ever before. The intent of this bill is to allow units of State government to serve the citizens of Maryland in a more efficient manner by communicating with them via electronic mail in lieu of first class mail.

Under Senate Bill 83 units of State government would have the option to send electronic mail in lieu of first class mail if the individual they are trying to communicate with has given their consent to receive communication via electronic mail.

The use of electronic communications in lieu of first class mail in these certain instances will save state government tax dollars and give individuals the ability to use email to communicate with units of government in the same way that most individuals do with any other business entity. Implementation of this bill is optional and does not require any unit of government or individual to change the way in which they currently communicate.

A general example of where this is most useful is with expiration and renewal of permits, certifications or licenses. In these cases the individual has already been dealing with the unit of government and may prefer to receive such notices via email instead of regular mail to speed up the process and save on postage cost.

The intent of this bill is not to change procedures for units of government who are already communicating with individuals electronically, but to give the option of electronic delivery to those units of government who have been mandated to use first class mail by outdated language in the Maryland code. We have proposed the attached amendment to clarify that intention and to specify the scope of the bill.

For these reasons the Maryland Department of Information Technology requests a favorable report on Senate Bill 83 with the attached amendments.

Amendment 1 Senate Bill 0083

On page 2:

For the purpose of a language clarification,

On line 4 insert “**AND DELIVERY BY ELECTRONIC MEANS**” after “delivered by electronic mean”

In an effort to exempt The Judicial Branch from this legislation:

On line 9 please insert **OTHER THAN THE JUDICIAL BRANCH.** after state.

In an effort to clarify the scope of the bill,

On line 10 In subsection (B) add **(1)THIS SECTION APPLIES TO ANY NOTICE OR COMMUNICATION FROM A UNIT THAT IS REQUIRED TO BE DELIVERED BY FIRST-CLASS MAIL.**

On Line 11 Add **(2)** in front of This Section

On Line 14 after electronic means add **IN LIEU OF FIRST-CLASS MAIL**

On Line 23 after electronic means add **IN LIEU OF FIRST-CLASS MAIL**

On Line 32 after electronic means add **IN LIEU OF FIRST-CLASS MAIL**

On page 3:

On Line 25 after electronic means add **IN LIEU OF FIRST-CLASS MAIL**

On page 4:

In an effort to clarify the intent of the bill and not to confuse current practices and procedures of units of government,

On line 20 Insert: **(H) (1)DELIVERY BY ELECTRONIC MEANS IN LIEU OF FIRST CLASS MAIL IS NOT MANDATORY. (2)NOTHING IN THIS SECTION IS INTENDED TO AFFECT OR SUPERSEDE ANY (I) STATUTORY OR REGULATORY PROVISIONS IN EFFECT AS OF THE EFFECTIVE DATE HEREOF; AND (II) POLICIES,PROCEDURES,SYSTEMS OR PROTOCOLS IMPLEMENTED BY UNITS PURSUANT THERETO.**