

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 3

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "laws" insert "and regulations"; in line 6, after "electronically;" insert "providing that an agreement to conduct a transaction electronically may not be contained in a standard form contract under certain circumstances; providing that an agreement to conduct a transaction electronically may not be inferred solely from certain facts;"; and in line 13, strike the second "to be" and substitute "from being".

On page 2, in line 1, after "acts;" insert "requiring that certain standards adopted by units of State government be consistent with those specified in the State Information Technology Master Plan;".

On page 4, in line 13, strike "CONCERNING" and substitute "OF".

On page 9, in line 6, strike "AFTER" and substitute "AT THE TIME".

On page 14, in line 4, strike "§ 21-112(F)" and substitute "§ 21-111(F)".

AMENDMENT NO. 2

On page 4, in line 15, after "POWER;" insert "OR"; in line 18, strike "; OR" and substitute a period; and strike in their entirety lines 19 through 21, inclusive.

AMENDMENT NO. 3

On page 5, after line 25, insert:

"(3) EXCEPT FOR A SEPARATE AND OPTIONAL AGREEMENT THE PRIMARY PURPOSE OF WHICH IS TO AUTHORIZE A TRANSACTION TO BE CONDUCTED BY ELECTRONIC MEANS, A PROVISION TO CONDUCT A TRANSACTION

(Over)

ELECTRONICALLY MAY NOT BE CONTAINED IN A STANDARD FORM CONTRACT UNLESS THAT PROVISION IS CONSPICUOUSLY DISPLAYED AND SEPARATELY CONSENTED TO.

(4) AN AGREEMENT TO CONDUCT A TRANSACTION ELECTRONICALLY MAY NOT BE INFERRED SOLELY FROM THE FACT THAT A PARTY HAS USED ELECTRONIC MEANS TO PAY AN ACCOUNT OR REGISTER A PURCHASE WARRANTY.

(5) THIS SUBSECTION MAY NOT BE VARIED BY AGREEMENT."

AMENDMENT NO. 4

On page 14, after line 17, insert:

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

AMENDMENT NO. 5

On page 14, in line 35, strike "October" and substitute "June".