
By: **Chairman, Finance Committee (By Request - Departmental - Secretary of State)**

Introduced and read first time: January 16, 2006

Rules suspended

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: January 31, 2006

CHAPTER _____

1 AN ACT concerning

2 **Digital Signatures - Repeal**

3 FOR the purpose of repealing the digital signature pilot program and related
4 provisions of law; and generally relating to digital signatures.

5 BY repealing

6 Article - State Government

7 Section 8-504

8 Annotated Code of Maryland

9 (2004 Replacement Volume and 2005 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article - State Government**

13 [8-504.

14 (a) (1) In this section the following words have the meanings indicated.

15 (2) "Agency" means any department, office, or other unit of government
16 that is established by State law.

17 (3) "Digital signature" means an electronic identifier, created by a
18 computer, that:

1 (i) is intended by the authorized signer to have the same force and
2 effect as the use of a manual signature;

3 (ii) is unique to the authorized signer;

4 (iii) is capable of verification;

5 (iv) is under the sole control of the authorized signer;

6 (v) is linked to data in such a manner that if the data are changed,
7 the signature is invalidated; and

8 (vi) conforms to regulations adopted by the Secretary of State.

9 (4) "Governmental entity" means any department, agency, or unit of
10 federal, State, or local government, including the District of Columbia.

11 (5) "Pilot" means the digital signature pilot program.

12 (b) (1) There is a digital signature pilot program in State government.

13 (2) The following agencies may participate in the pilot:

14 (i) the Secretary of State;

15 (ii) the State Archives;

16 (iii) the Department of General Services;

17 (iv) the Department of Budget and Management; and

18 (v) any other agency authorized by the Governor.

19 (c) (1) This section applies only to communications:

20 (i) within or between agencies; or

21 (ii) between agencies and governmental entities.

22 (2) Subject to the provisions of this section, any agency participating in
23 the pilot may establish methods and procedures to allow for the use of a digital
24 signature in any communication in which a signature is required or used within the
25 agency or between the agency and another agency or governmental entity.

26 (3) The use of a digital signature under this section shall have the same
27 force and effect as the use of a manual signature.

28 (4) Nothing in this section shall require an agency or governmental
29 entity to use or accept a digital signature.

1 (d) (1) The Secretary of State shall adopt regulations to implement and
2 administer a method used under the pilot to conduct authenticated electronic
3 transactions using digital signatures.

4 (2) The use of a digital signature under this section shall conform to
5 State regulations governing electronic records adopted by the State Archives.]

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
7 effect October 1, 2006.