

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 722 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/27/07

A Bill

SENATE BILL 918

5 By: Senator Laverty
6
7

For An Act To Be Entitled

9 AN ACT TO REQUIRE STATE AGENCIES TO USE OR PERMIT
10 THE USE OF ELECTRONIC RECORDS AND ELECTRONIC
11 SIGNATURES NO LATER THAN JUNE 30, 2009; AND FOR
12 OTHER PURPOSES.
13

Subtitle

15 AN ACT TO REQUIRE STATE AGENCIES TO USE
16 OR PERMIT THE USE OF ELECTRONIC RECORDS
17 AND ELECTRONIC SIGNATURES NO LATER THAN
18 JUNE 30, 2009.
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

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

25 SUBCHAPTER 7. ELECTRONIC RECORDS AND SIGNATURES
26

27 25-18-701. Use of electronic records.

28 All state agencies shall use or permit the use of electronic records
29 and electronic signatures.
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31 25-18-702. Standards and policies.

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

35 (b) The standards and policies shall address:



1 (1) The manner and format in which the electronic records must
2 be created, generated, sent, communicated, received, and stored and the
3 systems established for those purposes;

4 (2) Differing levels of criteria from which state agencies may
5 choose in implementing the most appropriate standard for a particular
6 application;

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

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

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

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

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23 25-18-703. State agency standards and policies.

24 A state agency may use the standards and policies developed by the
25 Executive Chief Information Officer under § 25-18-702 or it may develop its
26 own standards and policies consistent with the requirements established in §
27 25-18-702(b).

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29 SECTION 2. NOT TO BE CODIFIED.

30 (a) Arkansas Code § 25-18-701 shall be implemented no later than June
31 30, 2009.

32 (b) The initial standards and policies governing the use, management,
33 retention, privacy, and security of electronic signatures and electronic
34 records of state agencies required in Arkansas Code § 25-18-702 shall be
35 established by the Executive Chief Information Officer no later than June 30,
36 2008.

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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/ Lavery

APPROVED: 3/30/2007