

UNIFORM ELECTRONIC TRANSACTIONS ACT (EXCERPT)
Act 305 of 2000

450.848 Use of electronic records and signatures by governmental agency; determination by department of technology, management, and budget.

Sec. 18. (1) Except as otherwise provided in section 12(6), the department of technology, management, and budget shall determine whether, and the extent to which, each state department will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures.

(2) To the extent that a governmental agency uses electronic records and electronic signatures under subsection (1), the department of technology, management, and budget, giving due consideration to security, may specify any or all of the following:

(a) 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.

(b) If an electronic record is required to be signed by electronic means, the type of electronic signature required, the manner and format in which the electronic signature is to be affixed to the electronic record, and the identity of or criteria that is to be met by any third party used by a person filing a document.

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

(d) Any other required attributes for electronic records that are specified for corresponding nonelectronic records or reasonably necessary under the circumstances.

(3) Except as otherwise provided in section 12(6), this act does not require a governmental agency or official of this state to use or permit the use of electronic records or electronic signatures.

(4) This section is subject to section 18a.

History: 2000, Act 305, Imd. Eff. Oct. 16, 2000;—Am. 2020, Act 247, Imd. Eff. Nov. 5, 2020.