

No. 2006-173

AN ACT

SB 770

Amending the act of December 16, 1999 (P.L.971, No.69), entitled "An act regulating electronic transactions," providing for the definition of "United States Postal Service Electronic Postmark"; and further providing for acceptance and distribution of electronic records.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 103 of the act of December 16, 1999 (P.L.971, No.69), known as the Electronic Transactions Act, is amended by adding a definition to read:

Section 103. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

"United States Postal Service Electronic Postmark" or "USPS EPM." An electronic service provided by the United States Postal Service.

Section 2. Section 502 of the act is amended by adding a subsection to read:

Section 502. Acceptance and distribution of electronic records.

* * *

(d) Use of electronic postmark.—

(1) Except for executive agencies, each governmental agency in this Commonwealth shall determine the extent to which it will utilize the USPS EPM or any similar service to send and accept electronic records and electronic signatures to and from other persons. Executive agencies shall comply with standards published by the Office of Administration concerning the use of the USPS EPM or any similar service.

(2) This subsection does not authorize the use of an electronic postmark or the USPS EPM for the service of original process of a summons, complaint or other papers for the purpose of obtaining jurisdiction over a defendant in a lawsuit.

Section 3. This act shall take effect in 120 days.

APPROVED—The 29th day of November, A.D. 2006.

EDWARD G. RENDELL