

HOUSE BILL REPORT

HB 2643

As Reported by House Committee On:
State Government, Elections & Information Technology

Title: An act relating to repealing the electronic authentication act.

Brief Description: Repealing the electronic authentication act.

Sponsors: Representative Muri.

Brief History:

Committee Activity:

State Government, Elections & Information Technology: 2/2/18 [DPS].

Brief Summary of Substitute Bill

- Repeals the Washington Electronic Authentication Act.

HOUSE COMMITTEE ON STATE GOVERNMENT, ELECTIONS & INFORMATION TECHNOLOGY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Hudgins, Chair; Dolan, Vice Chair; McDonald, Ranking Minority Member; Kraft, Assistant Ranking Minority Member; Appleton, Gregerson, Irwin and Pellicciotti.

Staff: Travis Yonker (786-7383).

Background:

In 1998 the Washington Electronic Authentication Act (Act) was enacted for the purpose of facilitating commerce through electronic messages and to minimize incidences of forgery and fraud in electronic commerce. Under the Act, the Secretary of State (Secretary) has authority to regulate the following:

- the licensing of certification authorities, who issue digital certificates verifying the authenticity of digital signatures;
- the qualifications of operative personnel, who act as the agents of licensed certification authorities; and

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- the recognition of repositories, which are systems for storing and receiving digital certificates and other information relevant to digital certificates.

The Secretary maintains public lists of licensed certification authorities and recognized repositories. Currently, there are no licensed certification authorities or recognized repositories listed by the Secretary.

Summary of Substitute Bill:

The Act is repealed, as are all statutory references to the Act, including references to the definition for "digital signature" and "electronic signature" contained in the Act. Definitions for digital signature and electronic signature are added to other statutes that will continue to rely on those terms after the repeal of the Act.

Substitute Bill Compared to Original Bill:

Definitions of "digital signature" and "electronic signature" are added to other statutes that will continue to rely on those terms after the repeal of the Act.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The Act was originally considered cutting-edge when it was enacted, but now it is obsolete because the private industry and the digital world have advanced quickly. The Act is no longer used, and just causes confusion.

(Opposed) None.

Persons Testifying: Representative Muri, prime sponsor; Steven Stovall; and Tsering Cornell and Patrick Reed, Office of the Secretary of State.

Persons Signed In To Testify But Not Testifying: None.