

Electronic Facilitator (ESRA) – Service Detail

Overview:

The NYS Chief Information Officer/Office for Technology (CIO/OFT), as the Electronic Facilitator, assists private and public sector parties in understanding and using the Electronic Signatures and Records Act (ESRA) to support and encourage electronic commerce and electronic government in New York State.

Detail:

The Electronic Signatures and Records Act provides that the use of "signatures" made via electronic means shall have the same legal validity and effect as the use of a signature affixed by hand. The law also allows electronic records to have the same legal force and effect as those produced in formats such as paper and microfilm. ESRA enhances and clarifies the legal authority of government, private entities and individuals in New York State to create and retain most records in computer produced electronic form. The statute also designates CIO/OFT as the Electronic Facilitator responsible for promulgating rules and regulations for the use of electronic signatures and records, for developing guidelines for the improvement of business and commerce by electronic means and for generally promoting the use of electronic technology by citizens, businesses and government entities.

Audience:

Public and private sector parties interested in pursuing e-commerce and e-government transactions in New York State.

Features:

- Informal legal advice to public and private sector individuals and entities on the provisions and requirements of the Electronic Signatures and Records Act (ESRA), CIO/OFT's ESRA regulation (9 NYCRR Part 540) and CIO/OFT's ESRA Guidelines.
- Consultations with government entities (New York State agencies and local governments) on the selection of an appropriate electronic signature technology for use in government transactions.
- Informal advice to government entities on the completion and documentation of a business analysis and risk assessment when selecting an electronic signature technology as required by CIO/OFT's ESRA regulation.
- Presentations on legal and technological issues pertaining to the use and acceptance of electronic signatures and electronic records in both e-commerce and e-government transactions. Such presentations are made at government, academic and business sponsored conferences, symposiums and meetings.