

ORIGINAL SENATE
FILE NO. SF0039

ENROLLED ACT NO. 24, SENATE

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

AN ACT relating to trade and commerce; defining personal and organizational digital identity; establishing requirements for the attribution of acts taken through a digital identity; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 40-30-101 and 40-30-102 are created to read:

CHAPTER 30
DIGITAL IDENTITY ACT

40-30-101. Definitions.

(a) As used in this chapter:

(i) "Personal digital identity" means as defined in W.S. 8-1-102(a)(xviii);

(ii) "Organizational digital identity" means as defined in W.S. 8-1-102(a)(xix).

40-30-102. Acts through digital identity.

(a) Consistent with the provisions of W.S. 40-21-109:

(i) Acts taken through a personal digital identity are attributable to a natural person if they were the act of the natural person. The act of the natural person may be established in any manner, including a showing of the efficacy of any security procedure applied to determine the natural person to which an electronic record or electronic signature or other act was attributable;

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(ii) Acts taken through an organizational digital identity are attributable to the organization if they were the act of the organization. The act of the organization may be established in any manner, including a showing of the efficacy of any security procedure applied to determine the organization to which an electronic record or electronic signature or other act was attributable;

(iii) The effect of an electronic record or electronic signature or other act attributed to a natural person or organization under paragraphs (i) and (ii) of this subsection shall be determined from the context and surrounding circumstances at the time of its creation, execution or adoption, including the parties' agreement, if any, and as otherwise provided by law.

Section 2. W.S. 8-1-102(a) by creating new paragraphs (xviii) and (xix) is amended to read:

8-1-102. Definitions.

(a) As used in the statutes unless the legislature clearly specifies a different meaning or interpretation or the context clearly requires a different meaning:

(xviii) "Personal digital identity" means the intangible digital representation of, by and for a natural person, over which he has principal authority and through which he intentionally communicates or acts;

(xix) "Organizational digital identity" means the intangible digital representation of, by and for a corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture,

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governmental agency, public corporation or any other legal or commercial entity that is not a natural person, over which it has principal authority and through which it intentionally communicates or acts.

Section 3. This act is effective July 1, 2021.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk