STATE OF WYOMING

SENATE FILE NO. SF0039

Digital identity.

Sponsored by: Select Committee on Blockchain, Financial Technology and Digital Innovation Technology

A BILL

for

1	AN ACT relating to trade and commerce; defining personal
2	and organizational digital identity; establishing
3	requirements for the attribution of acts taken through a
4	digital identity; and providing for an effective date.
5	
6	Be It Enacted by the Legislature of the State of Wyoming:
7	
8	Section 1 . W.S. 40-30-101 and 40-30-102 are created
9	to read:
10	
11	CHAPTER 30
12	DIGITAL IDENTITY ACT
13	
14	40-30-101. Definitions.
15	

1

2021

STATE OF WYOMING

1 (a) As used in this chapter: 2 (i) "Personal digital identity" means as defined 3 4 in W.S. 8-1-102(a)(xviii); 5 (ii) "Organizational digital identity" means as б 7 defined in W.S. 8-1-102(a)(xix). 8 9 40-30-102. Acts through digital identity. 10 11 (a) Consistent with the provisions of W.S. 40-21-109: 12 13 (i) Acts taken through a personal digital identity are attributable to a natural person if they were 14 the act of the natural person. The act of the natural 15 16 person may be established in any manner, including a 17 showing of the efficacy of any security procedure applied 18 to determine the natural person to which an electronic 19 record or electronic signature or other act was 20 attributable; 21 (ii) Acts taken through an organizational 22 23 digital identity are attributable to the organization if

2

SF0039

1 they were the act of the organization. The act of the 2 organization may be established in any manner, including a 3 showing of the efficacy of any security procedure applied 4 to determine the organization to which an electronic record or electronic signature or other act was attributable; 5 б 7 (iii) The effect of an electronic record or 8 electronic signature or other act attributed to a natural 9 person or organization under paragraphs (i) and (ii) of this subsection shall be determined from the context and 10 11 surrounding circumstances at the time of its creation, execution or adoption, including the parties' agreement, if 12 any, and as otherwise provided by law. 13 14 **Section 2.** W.S. 8-1-102(a) by creating new paragraphs 15 16 (xviii) and (xix) is amended to read: 17 18 8-1-102. Definitions. 19 20 (a) As used in the statutes unless the legislature 21 clearly specifies a different meaning or interpretation or 22 the context clearly requires a different meaning:

23

SF0039

3

1	<u>(xviii) "Personal digital identity" means the</u>
2	intangible digital representation of, by and for a natural
3	person, over which he has dominion and through which he
4	intentionally communicates or acts;
5	
б	(xix) "Organizational digital identity" means
7	the intangible digital representation of, by and for a
8	corporation, business trust, estate, trust, partnership,
9	limited liability company, association, joint venture,
10	governmental agency, public corporation or any other legal
11	or commercial entity that is not a natural person, over
12	which it has dominion and through which it intentionally
13	communicates or acts.
14	
15	Section 3. This act is effective July 1, 2021.
16	

17 (END)