**§9412. Retention of electronic records; originals**

**1. Requirement.**  If a law requires that a record be retained, the requirement is satisfied by retaining an electronic record of the information in the record that:

A. Accurately reflects the information set forth in the record after it was first generated in its final form as an electronic record or otherwise; and [PL 1999, c. 762, §2 (NEW).]

B. Remains accessible for later reference. [PL 1999, c. 762, §2 (NEW).]

[PL 1999, c. 762, §2 (NEW).]

**2. Transmission information.**  A requirement to retain a record in accordance with subsection 1 does not apply to any information whose sole purpose is to enable the record to be sent, communicated or received.

[PL 1999, c. 762, §2 (NEW).]

**3. Agents.**  A person may satisfy subsection 1 by using the services of another person if the requirements of that subsection are satisfied.

[PL 1999, c. 762, §2 (NEW).]

**4. Originals.**  If a law requires a record to be presented or retained in its original form or provides consequences if the record is not presented or retained in its original form, that law is satisfied by an electronic record retained in accordance with subsection 1.

[PL 1999, c. 762, §2 (NEW).]

**5. Checks.**  If a law requires retention of a check, that requirement is satisfied by retention of an electronic record of the information on the front and back of the check in accordance with subsection 1.

[PL 1999, c. 762, §2 (NEW).]

**6. Evidence; audits.**  A record retained as an electronic record in accordance with subsection 1 satisfies a law requiring a person to retain a record for evidentiary, audit or like purposes, unless a law enacted after the effective date of this chapter specifically prohibits the use of an electronic record for the specified purpose.

[PL 1999, c. 762, §2 (NEW).]

**7. Governmental agencies.**  This section does not preclude a governmental agency of the State from specifying additional requirements for the retention of a record subject to the agency's jurisdiction.

[PL 1999, c. 762, §2 (NEW).]

SECTION HISTORY

PL 1999, c. 762, §2 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.