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Time to Streamline E-Sign Act's Consumer Consent Process

Law360

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Atlanta Partner [Brian Casey](#) and Austin Partner **Patrick Hatfield** co-authored an article for Law360 examining The E-Sign Modernization Act of 2020, introduced last month as S.4159 in the U.S. Senate's Commerce, Science and Transportation Committee as a proposed key change to the Electronic Signatures in Global and National Commerce, or E-SIGN Act. The authors note that the core concepts and requirements of the E-SIGN Act and UETA are substantially similar, however, "one of the primary differences between these two laws is their treatment of electronically delivered consumer disclosures that are required to be provided by a business to a consumer in writing (with or without a signature) under another law. Typically, these other laws are regulatory laws requiring the provision of written consumer protection disclosures by a product or service provider such as under banking, insurance and securities laws." The E-Sign Modernization Act of 2020 would repeal the consumer disclosures requirements that presently exist under the E-SIGN Act.

To read the full article, click [here](#) (*subscription may be required*).

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