

		Policy # 3001
Subject: Electronic Signature Policy		
Responsible Department: Technology		
Effective Date: 2/2019		Revision Date: 01/2019
Rami Zakaria Chief Information Officer		Navdeep S. Gill County Executive

1. **Purpose:**

This Policy authorizes and encourages use of electronic signature technology to replace a hand-written signature, with the goal of encouraging the use of paperless, electronic documents whenever appropriate and allowed by law.

2. **Authority:**

Electronic signature is the broad umbrella category under which all electronic signatures fall. The legality and use of Electronic Signatures are governed by federal and state law. See 15 U.S.C. §§ 7001, *et seq.* [U.S. Federal Electronic Signatures in Global and National Commerce Act]; California Government Code §16.5; California Civil Code §§ 1633.1, *et seq.*

3. **Scope:**

This Policy applies to documents requiring a signature of any person where the signature is intended to show authorship, approval, authorization, or certification, as allowed by law. It applies to all signatures used in processing various County documents and assumes the County signer has been given the authority to sign as determined by Department business process.

4. **Policy:**

The County encourages the use of electronic signatures in all internal and external activities, documents, and transactions where it is allowed by law, where it is operationally feasible to do so and where existing technology permits. In such situations, affixing an electronic signature to the document

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in a manner consistent with this Policy shall satisfy the County's requirements for signing a document.

The use of electronic signatures is permitted and shall have the same force and effect as the use of a "wet" or manual signature, as allowed by law.

No party signing or approving a document may be forced to accept an electronic signature; they must be permitted to decide either way. Any consent may be withdrawn by the other party at any time and if withdrawn, future documents must be signed in hardcopy format. When a document is electronically signed by all parties, a copy of the electronically-signed document shall be made available to the other parties in an electronic format that is capable of being retained and printed by the other parties.

When a document is part of a workflow that includes multiple Departments, all Departments must coordinate and consent to the use of electronic signatures.

Departments are encouraged to establish guidance for proper use of electronic signature applications to contain costs and ensure departmental and personal responsibility and accountability. Departments are responsible for storing final electronic documents in a manner consistent with applicable Departmental policies or applicable laws.

5. Review:

Biennially

6. References:

- U.S. Federal Electronic Signatures in Global and National Commerce Act (15 U.S.C. §§ 7001, *et seq.*)
- California Government Code §16.5
- Uniform Electronic Transactions Act (California Civil Code §§ 1633.1, *et seq.*)

7. Definitions:

Electronic signature - An electronic sound, symbol, or process, attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record.