



## Board Administration Policy

# Electronic Signature Policy

---

### I. Purpose

To establish guidelines for accepting electronic signatures.

### II. Scope

A. The use or acceptance of electronic signature shall be at the option of SJCERA and the member submitting the electronically signed document. Nothing in this Policy requires SJCERA to use or permit the use of electronic signature.

### III. Definitions

- A. For the purposes of this policy, the following definitions apply:
- i. "Electronic signature" includes both software-captured electronic signatures and copies of original, handwritten signatures submitted electronically.
  - ii. "Member" includes member, nonmember former spouse, eligible survivor/beneficiary, or person with legal authority to act on their behalf.

### IV. Electronic Signature Guidelines

- A. The use of electronic signatures is permitted and shall have the same force and effect as the use of a original, handwritten signature if all the following criteria are met:
1. The electronic signature is unique to the person using it.
  2. The electronic signature is capable of verification.
  3. The electronic signature is under the sole control of the person using it.
    - a. Email notifications requesting electronic signatures must not be forwarded.
  4. The electronic signature is linked to the data in such a manner that if the data is changed after the electronic signature is affixed, the electronic signature is invalidated.
- B. Electronically signed documents submitted with software programs that use technology sufficient to ensure the integrity, security, and authenticity of documents will have the same legal force as a signed, valid original document.
- C. SJCERA may contact persons who have submitted electronically signed documents at their own discretion in order to ensure verification compliance.

### V. Electronic Signature Guidelines

- A. Documents that initiate or affect the distribution of payment or payment information generally require an original signature.
- B. The use of electronic signatures is permitted and shall have the same force and effect as the use of an original, handwritten signature if all the following criteria are met:
1. The member's identity has first been verified by staff following existing protocols.
  2. Staff has validated that the document was sent to SJCERA by the member.
  3. Signature on the document is consistent with other signature samples on file at SJCERA.

**VI. Retention**

A. Any member documents received electronically will be stored in SJCERA's Electronic Document Imaging System according to the *Document and Data Retention* policy.

**IV. Law Prevails**

A. In the event a conflict between this policy and the County Employees Retirement Law, the Public Employees' Pension Reform Act, or other applicable statute arises, the law shall prevail.

**V. Policy Review**

A. Staff shall review this Policy at least once every three years to ensure that it remains relevant, appropriate, and in compliance. Any revisions or amendments to this policy must be approved by the Board of Retirement in accordance with its bylaws.

**VI. History**

07/08/2022	Policy adopted by the Board of Retirement
07/16/2024	Non-substantive change

**Certification of Board Adoption:**



Clerk of the Board

07/16/2024

Date

Related Statutes:

California Government Code Section 31527(i)