

Using Electronic Signatures for City Business



Reference Number TEC 01.20

Scope

This policy applies to City employees when using Electronic Signatures to conduct City business.

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.

Digital Signature – a special class of Electronic Signature used for higher risk transactions. Advanced security is used to verify the authenticity of the signatory and to ensure a contract or other record is not modified while being routed for approval or after being signed.

Policy

1. Federal and State laws authorize use of Electronic Signatures

Federal and State laws allow and encourage public agencies to use and accept Electronic Signatures to authenticate electronic transactions.

2. The City of Bellingham recognizes Electronic Signatures that are enforceable under state and federal law

The City recognizes Electronic Signatures as having the same force and effect as handwritten signatures unless otherwise provided by law. Electronic Signatures may only be used to conduct City business when there is a reasonable assurance of the integrity, authenticity, and nonrepudiation of the associated electronic documents and submissions.

3. The City encourages the use of Electronic Signatures

City employees are encouraged to use Electronic Signatures when requesting signatures from other parties and when signing on behalf of the City where the use lowers costs, simplifies transactions, and reduces transaction times.

4. Legal Department determines when a Digital Signature is required

The City Attorney or designee evaluates requests to use Electronic Signatures and may recommend the use of Digital Signatures where appropriate. Decisions are based on each use case and the risk to the City of one or more transactions being disputed. Input from stakeholders, including the Information Technology and Finance Directors or their designees, will be considered.

5. Information Technology Services Department approves Electronic Signature standards and products

The ITSD director or designee approves technical standards and software solutions for Electronic Signatures, including Digital Signatures.

See Also

- [Federal Law: Federal Electronic Signatures in Global and National Commerce Act \(E-Sign\)](#)
- [State Law: Electronic Signatures \(Chapter 19.360 RCW\)](#)
- [State Law: Washington Electronic Authentication Act \(Chapter 19.34 RCW\)](#)
- [Statewide guidance: Office of the Chief Information Officer \(OCIO\)](#)