

ELECTRONIC SIGNATURE POLICY

Authorizing Manager: Assistant Executive Officer

Effective Date: April 5, 2023

Last Updated: N/A

Mandatory Review: Every Three Years

Policy Type: Board of Retirement

Approval Level: Board of Retirement

1. PURPOSE

The purpose of this Electronic Signature Policy (“Policy”) is to authorize Electronic Signatures to be accepted as legally binding in all member and beneficiary Transactions and Communications with LACERA, except as may be required by other applicable law or business need.

2. LEGAL AUTHORITY

This Policy is adopted pursuant to California Government Code Section 31527(i) of the County Employees Retirement Law of 1937 (CERL) and Article X, Electronic Signatures of the Board of Retirement Regulations, under which the Board may authorize the acceptance of electronic member signatures submitted using technology the Board deems sufficient to ensure their integrity, security, and authenticity and give documents electronically signed using such technology the same force as a signed, valid original document.

3. SCOPE

This Policy applies to all member and beneficiary Transactions and Communications with LACERA, except as may be required by other applicable law or business need.

4. DEFINITIONS

4.1 Transactions and Communications means all documents executed by a LACERA member or beneficiary in connection with all rights of LACERA membership, including but not limited to Sworn Statements, Benefit Elections, Purchase Contracts, Service Retirement Applications, Disability Retirement Applications, Retiree Healthcare Applications, and all other applications, elections, contracts, applications, and communications.

4.2 Electronic Signature means a signature that complies with the requirements of (a) the Uniform Electronic Transactions Act (California Civil Code Section 1633.1 *et seq.*), (b) California Government Code Section 16.5, and the California Secretary of State’s Regulations thereunder, or (c) any other approach that, after review by LACERA’s Information Security Division, is accepted by that Division and LACERA’s Chief Executive Officer, or designee, as including safeguards that ensure the integrity, security, and authenticity of a signature. The Board finds that these processes will operate to ensure compliance with the legal authority applicable to LACERA under

CERL and the Board of Retirement's Regulations as described in Section 2 above.

5. POLICY STATEMENT

5.1 Acceptance; Force and Effect. LACERA may accept Transactions and Communications executed by members and beneficiaries with an Electronic Signature as valid and having the same force and effect as a signed, valid document, except as may be required by other applicable law or business need.

5.2 Rejection. LACERA may reject any Electronic Signature that bears any indication of fraud, malfeasance, or other circumstances that create concerns as to its integrity, security, and authenticity, including but not limited to failure to comply with LACERA's accepted form and content of Electronic Signatures as described in Section 4.2 above, illegibility, lack of consistency with prior known signatures or Electronic Signatures, and errors or inconsistencies in other data included in the Electronic Signature.

5.3 Procedures. LACERA staff will develop procedures for the implementation of this Policy, including standards required of Electronic Signatures to ensure their integrity, security, and authenticity, criteria for rejection of Electronic Signatures, and other requirements and process. Staff will report to the Operations Oversight Committee annually as to the procedures and the status of LACERA implementation of this Policy and the use of Electronic Signatures.

6. REFERENCES

[California Government Code Section 16.5](#)

[California Secretary of State Regulations under Government Code Section 16.5](#)

[California Government Code Section 31527\(i\)](#)

[Uniform Electronic Transactions Act \(California Civil Code Section 1633.1 et seq.\)](#)

[LACERA Board of Retirement Regulations, Regulation X](#)

7. VERSION HISTORY

First adopted by the Board of Retirement on April 5, 2023, with an immediate effective date.

8. EFFECTIVE DATE AND REVIEW

This Policy is effective on the day adopted by the Board of Retirement. This Policy shall be reviewed by the Board every three years.