



Board of Retirement Regular Meeting

Sacramento County Employees' Retirement System

Agenda Item 12

MEETING DATE: September 21, 2022

SUBJECT: Electronic Signatures Policy

SUBMITTED FOR: ___ Consent X Deliberation and Action ___ Receive and File

RECOMMENDATION

Staff recommends the Board re-affirm SCERS' Electronic Signatures Policy with no amendments.

PURPOSE

This item supports the Strategic Management Plan by leveraging technology to enhance customer service, enterprise performance, and legal compliance.

DISCUSSION

Under Government Code section 31527(i), the Board may issue a policy permitting:

[T]he use and acceptance of a document requiring a signature that is submitted by a member using an electronic signature, if the document and electronic signature are submitted using technology the board deems sufficient to ensure its integrity, security, and authenticity. A document submitted pursuant to the regulation shall be given the same force as a signed, valid original document.

In 2019, the Board adopted an Electronics Signatures Policy approving the use of two software platforms for obtaining electronic member signatures. One is DocuSign, a well-known and widely used commercial software product. The other is Ariel, the pension administration software system currently being developed and installed at SCERS by LifeWorks.

Pursuant to SCERS' practice of reviewing and refreshing policies every three years, Staff has re-evaluated the Policy in light of practical experience and considered whether any amendments are necessary. Staff has concluded that no amendments are necessary at this time.

SCERS has been using DocuSign to obtain member signatures since August 2020. Benefits staff lauds the use of DocuSign as a success, as the platform is secure, efficient, and convenient for both members and staff. However, Ariel-based electronic signatures are not yet in use. That signature technology is tied to the Ariel member portal, the implementation of which has been delayed by LifeWorks. Once the member portal is in use (currently estimated to be in the fourth quarter of 2023), staff will report its experience with Ariel-based electronic signatures to the Board.

Staff is not recommending that the Board authorize the use of any additional technologies at this time.

ATTACHMENTS

- Board Order
- Electronic Signatures Policy

Prepared by:

/S/

Stephen Lau
General Counsel

Reviewed by:

/S/

Eric Stern
Chief Executive Officer



Retirement Board Order

Sacramento County Employees' Retirement System

Before the Board of Retirement
September 21, 2022

AGENDA ITEM:

Electronic Signatures Policy

THE BOARD OF RETIREMENT hereby accepts the recommendation of staff to re-affirm the Electronic Signatures Policy with no amendments.

I HEREBY CERTIFY that the above order was passed and adopted on September 21, 2022 by the following vote of the Board of Retirement, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

ALTERNATES (Present but not voting):

Keith DeVore
Board President

Eric Stern
Chief Executive Officer and
Board Secretary



ELECTRONIC SIGNATURES POLICY

PURPOSE

The purpose of this policy is to authorize SCERS to accept electronic signatures, as permitted by Government Code section 31527(i).

POLICY

The Board may use and accept a document requiring a signature that is submitted by a member using an electronic signature, if the document and electronic signature are submitted using technology the Board deems sufficient, as set forth in this and future policies adopted by the Board, to ensure their integrity, security, and authenticity. A document submitted pursuant to such policies shall be given the same force as a signed, valid original document.

The Board has determined that DocuSign and Ariel are software programs that use technology sufficient to ensure the integrity, security, and authenticity of documents with an electronic signature. Consequently, SCERS will give an electronically signed document filed through DocuSign and Ariel the same legal force as a signed, valid original document. The determination contained in this paragraph applies only to SCERS-generated documents, containing electronic signatures submitted by (1) non-retired SCERS members, (2) retired SCERS members, and (3) beneficiaries receiving retirement benefits.

This policy does not modify, disturb, or restrict SCERS' ability to use and accept electronic signatures in services contracts, investment contracts, and other business transactions, as permitted by contract law and/or the Uniform Electronic Transactions Act.

BACKGROUND

The Board of Retirement may issue a policy that allows "the use and acceptance of a document requiring a signature that is submitted by a member using an electronic signature, if the document and electronic signature are submitted using technology the [B]oard deems sufficient to ensure its integrity, security, and authenticity." Gov. Code § 31527(i). An electronically signed document submitted via such approved technology would have the "same force as a signed, valid original document." *Id.*

RESPONSIBILITIES

Executive Owner: General Counsel

POLICY HISTORY

Date	Description
09-14-2022	Board re-affirmed policy
09-18-2019	Board approved policy