



Board of Retirement Regular Meeting

Sacramento County Employees' Retirement System

Agenda Item 7C

MEETING DATE: March 20, 2024

SUBJECT: Electronic Signatures Policy

SUBMITTED FOR: Consent Deliberation and Action Receive and File

RECOMMENDATION

Approve amendments to Electronic Signatures Policy.

PURPOSE

This item supports Strategic Management Plan goals regarding leveraging technology and finding creative solutions to enhance enterprise performance.

DISCUSSION

In September 2019, the Board approved its Electronic Signatures Policy, formalizing procedures for SCERS to accept electronic signatures under California Government Code Section 31527. The policy was reaffirmed by the Board in September 2022.

Staff has re-evaluated the policy to reflect changing technology platforms that SCERS is using, including a member portal and Sacramento County's online new employee onboarding software. Amendments in the policy have been reviewed by the SCERS Information Technology team for the requisite integrity, security and authenticity, and other revisions are mostly cosmetic in nature. The proposed amendments are consistent with recent changes to other policies reviewed by General Counsel.

ATTACHMENTS

- Board Order
- Redlined version of policy with proposed amendments
- Clean version of policy with proposed amendments

Prepared by:

/s/

Jason R. Morrish
General Counsel

Reviewed by:

/s/

Eric Stern
Chief Executive Officer



Retirement Board Order

Sacramento County Employees' Retirement System

Before the Board of Retirement
March 20, 2024

AGENDA ITEM:

Electronic Signatures Policy

THE BOARD OF RETIREMENT hereby approves Staff's recommendation to approve amendments to Electronic Signatures Policy.

I HEREBY CERTIFY that the above order was passed and adopted on March 20, 2024 by the following vote of the Board of Retirement, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

ALTERNATES
(Present but not voting):

James Diepenbrock
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 ~~s~~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~~ is submitted using technology the Board deems sufficient, ~~as set forth in this and future policies adopted by the Board~~, to ensure ~~its~~their integrity, security, and authenticity. ~~A document submitted pursuant to such policies shall be given the same force as a signed, valid original document.~~

1. The Board has determined that ~~the following DocuSign and Ariel are~~ software programs ~~that~~ use technology sufficient to ensure the integrity, security, and authenticity of documents with an electronic signature:

- a. DocuSign.
- b. Adobe Acrobat Sign.
- c. MySCERS (SCERS Member Portal-related applications).

~~Consequently, SCERS will give an electronically signed document~~ submitted filed through ~~these programs DocuSign and Ariel~~ the same legal force and effect ~~as a signed, valid original document~~ with an original signature.

2. ~~The determination contained in~~ this paragraph 1 applies only to ~~SCERS-generated documents, containing electronic signatures submitted by SCERS members and beneficiaries or their legal representatives.~~ (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 AUTHORITY

California Government Code Section 31527

California Civil Code Sections 1633.1 et seq. ~~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
<u>03-20-2024</u>	<u>Board amended policy</u>
09- 14 <u>21</u> -2022	Board re-affirmed policy
09-18-2019	Board approved policy



ELECTRONIC SIGNATURES POLICY

CLEAN VERSION AS AMENDED

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 using an electronic signature if the document is submitted using technology the Board deems sufficient to ensure its integrity, security, and authenticity.

1. The Board has determined that the following software programs use technology sufficient to ensure the integrity, security, and authenticity of documents with an electronic signature:
 - a. DocuSign.
 - b. Adobe Acrobat Sign.
 - c. MySCERS (SCERS Member Portal-related applications).

Consequently, SCERS will give an electronically signed document submitted through these programs the same legal force and effect as a document with an original signature.

2. The determination contained in Paragraph 1 applies only to documents containing electronic signatures submitted by SCERS members and beneficiaries or their legal representatives.

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.

AUTHORITY

California Government Code Section 31527

California Civil Code Sections 1633.1 *et seq.*

RESPONSIBILITIES

Executive Owner: General Counsel

POLICY HISTORY

Date	Description
03-20-2024	Board amended policy

09-21-2022	Board re-affirmed policy
09-18-2019	Board approved policy