

Use of Electronic Signatures & Submissions

Applies To:	Department of Enterprise Services transactions
Authorizing Sources:	Federal law - Federal Electronic Signatures in Global and National Commerce Act (E-Sign) State law – ESSB 5810 Electronic Signatures State law – Chapter 19.34 RCW Washington Electronic Authentication Act Statewide guidance – Office of the Chief Information Officer (OCIO)
Information Contact:	DES Chief Information Officer
Effective Date:	May 1, 2016
Last Update:	N/A
Sunset Review Completion Date:	April 30, 2018
Approved By:	<hr style="width: 200px; margin-left: auto; margin-right: 0;"/> <div style="text-align: right; margin-right: 50px;">/s/ Chris Liu Director</div>

Background

The use of electronic records and electronic signatures can significantly reduce costs, simplify transactions and speed up transaction time. Recent changes to law (see [chapter 19.360 RCW](#)) have made it clear that state agencies are encouraged and allowed to use and accept electronic signatures to authenticate electronic transactions.

Unless otherwise provided by law or agency rule, electronic signatures have the same force and effect as that of a handwritten signature. However, state agencies must first meet the following two requirements in order to use and accept electronic signatures or electronic submissions:

1. State agencies are required to put in place by policy or rule, the methods and process for using or accepting electronic submissions or electronic signatures; and
2. Electronic records and signatures must be consistent with policy, standards and guidelines provided by the state's chief information officer*.

Purpose

This policy is designed to:

- Provide reasonable assurance for the integrity, authenticity, and nonrepudiation of electronic documents when electronic signatures and submissions are used and accepted; and
 - Promote the use of electronic signatures and submissions across the agency.
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Policy

- A. To the fullest extent allowed by law, the Department of Enterprise Services (DES) encourages electronic transactions and recognizes electronic records and signatures.
- B. The use and acceptance of electronic signatures and electronic submissions/records shall be consistent with the guidance and requirements put in place by the Office of the Chief Information Officer (OCIO).
- C. Specific methods and processes (solutions) shall be approved in advance by the DES Chief Information Officer (CIO) in consultation with the agency Chief Financial Officer (CFO) and the Assistant Director of Contracts, Procurement and Risk Management. These approval authorities may be delegated at the discretion of the CIO.

The approval of solutions shall be coordinated through the CIO. The CIO will determine a suitable review and approval process to be used when determining which solution(s) are suitable for a particular type of record or transaction. Where appropriate, a team approach shall be used.

Approved solutions shall be listed in Appendix A to this policy.

- D. With prior approval of the CIO and the requesting division head, a program may pilot the use of a solution for a specific transaction. Information learned during the pilot project should be widely shared and, where appropriate, used to improve this policy.
- E. This policy and changes to this policy shall be made available on the OCIO website and the [DES policy and rules website](#).

Related requirements

Statewide Guidance - [OCIO Electronic Signature Guidelines](#)

DES Administrative Procedure – ITS.01.01.P1 Approval of Electronic Signature Solutions

Policy Appendix A: – [Approved Electronic Signature Methods & Processes](#)

History

First effective date

May 1, 2016

Amended

This policy has not been amended.

Supersedes

This policy supersedes all oral or written solution approval requirements or approval processes.

Need a copy of a prior version of this policy? E-mail jack.zeigler@des.wa.gov