

<b>Title:</b> Electronic Signature DRAFT	<b>Policy Number:</b> POL 100.002
<b>Reference(s):</b> RCW WA ESSB 6028 – Uniform Electronic Transactions Act  15 U.S.C. Ch. 96 – Electronic Signatures in Global and National Commerce Act  WA Senate Bill 5641 – Notary Laws  RCW 42.45.280 – Electronic Records Notary Public  Proclamation 20-27, as amended or extended – Proclamation Amending Electronic Notary Proclamation 20-05	<b>Effective Date:</b>  <b>Supersedes:</b> None
<b>Approved By:</b>  Stephanie Wright, Chair, Board of Health	<b>Revised Date:</b>

## PURPOSE:

Providing an authentic and efficient process for the use of electronic signatures

## PHILOSOPHY:

The intent of this policy is to promote efficiency, conserve public resources, decrease the District's reliance on paper-based transactions, and streamline signature processes.

## DEFINITIONS:

**Electronic Signature:** An electronic symbol applied to a document with the intent of having the symbol act as a signature.

**Digital Signature:** A type of electronic signature with increased certification and trust used for agreements between the District and parties outside the District and for agreements within the District as required by departments.

**Record:** Data that is imprinted on a document that can be retrieved in accordance with local agency retention, preservation, destruction, and disclosure policies.

**Wet Signature:** A signature created in person when the signer physically marks a document.

**Notary:** An individual with the authorization to execute specific legal formalities, such as witnessing signatures on documents.

**Remote Notarization:** A form of notarization where the signer appears before the notary at the time of notarization using audio-visual technology, as opposed to being in the room physically.

## **POLICY:**

This policy provides guidelines for the use of electronic signatures and remote notarizations and will determine the scope of the District's use of the electronic signature platform AdobeSign and the video conferencing provider Zoom for recording notarization, or any replacement platforms.

### **A. RESPONSIBILITIES**

It is the responsibility of all Snohomish Health District employees, elected officials, and volunteers to ensure that they adhere to the electronic signature and remote notary policies outlined in this document to provide reasonable assurance of authenticity and accuracy when using electronic documents.

### **B. ELECTRONIC SIGNATURES**

1. The Snohomish Health District recognizes electronic signatures as legally binding and equivalent in nature to wet signatures.
2. The Snohomish Health District authorizes the electronic signature platform AdobeSign, or any replacement electronic signature platform, to be utilized in applying digital signatures to District documents.
3. The digital signature platform AdobeSign or any future replacement electronic signature platform is authorized to apply electronic signatures to any contracts and other documents to which the Snohomish Health District is a party, including but not limited to the Board of Health or Committee actions or meeting minutes, resolutions and ordinances adopted or passed by the Board, and claim vouchers approved by the Board.
4. Electronic Digital signatures may be used on District records requiring execution by a third party.
5. Electronic signatures may be applied using other electronic signature tools, such as Adobe, for documents such as internal documents.
6. Electronic Signatures may not be applied using another employee's name. Any employee or official applying an electronic signature shall use his or her own name.
7. This policy does not impact the use or legitimacy of wet signatures.
8. A limited number of individuals are permitted to route documents for signatures between the District and outside organizations. The Board of Health determines who may use this tool for signatures that bind the District in alignment with the Division of Responsibilities.

### **C. REMOTE NOTARIZATION**

1. The Snohomish Health District recognizes remote notarization as legally binding and equivalent in nature to electronic notarization and physical notarization.
2. Snohomish Health District authorizes the use of the remote notarization platform AdobeSign in conjunction with the audio-visual platform Zoom to notarize District documents.
3. The remote notarization platform AdobeSign and the audio-visual platform Zoom, or any future replacement remote notarization or audio-visual platforms are authorized to remotely notarize any contracts to which the Snohomish Health District is a party.

4. Per RCW 42.45.280, a remotely located individual must personally appear for the notarial act using communication technology and must be identified by the notary public using at least two forms of valid identification.
5. A notary public must have an electronic notary endorsement and remote online notary authority (RON) prior to performing remote notarial acts.
6. A notary public must retain an audio-visual recording of the notarial act as outlined in RCW 42.45.280.
7. Per WAC 308-30-220, the maximum fee that a notary may charge for witnessing or attesting to a signature, taking an acknowledgement or a verification upon oath or affirmation, certifying or attesting a copy, administering an oath or affirmation or certifying that an event has occurred or an act has been performed is \$10.
8. This policy does not impact the use or legitimacy of electronic or physical notarization.