

1 Adopt 2 Cal. Code Regs. Section 18104 as follows:

2 **18104. Secure Electronic Signatures**

3 (a) Except as otherwise provided by law, an agency responsible for maintaining original
4 reports, statements, forms, and other documents required under the Act may receive such filings:

5 (1) In paper format with the filer’s handwritten signature; or

6 (2) In electronic format with the filer’s secure electronic signature, if permitted by the
7 agency.

8 (b) A “secure electronic signature” means an electronic signature, as defined in
9 subdivision (h) of Section 1633.2 of the California Civil Code, that:

10 (1) Is submitted through an electronic filing system established and operated in
11 accordance with the Act; or

12 (2) If a valid electronic filing system is not available, is submitted via the official’s
13 agency email address and conforms to the definition and attributes of a “digital signature” as set
14 forth in Section 16.5, specifically it is:

15 (A) Unique to the person using it;

16 (B) Capable of verification;

17 (C) Under the sole control of the person using it;

18 (D) Linked to data in such a manner that if the data are changed, the digital signature is
19 invalidated; and

20 (E) Conforming with Title 2, Division 7, Chapter 10 of the California Code of
21 Regulations, as applicable.

22 Note: Authority cited: Section 83112, Government Code. Reference: Sections 81004,

1 Government Code.