

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) Is submitted via the official’s agency email address and conforms to the definition and  
13 attributes of a “digital signature” as set forth in Section 16.5, specifically it is:

14 (A) Unique to the person using it;

15 (B) Capable of verification;

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

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

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

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

22 Government Code.