

Information Technology Policy

Electronic Signatures Reference Guide

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What is an electronic signature?

- The purpose of an electronic signature (eSignature) is the same as your handwritten signature. Instead of using pen and paper, an electronic signature uses digital technology.
- It is a person's electronic expression of his or her agreement to the terms of a particular document. It's basically a way to ensure that an electronic document is *authentic*.
- Like the pen and paper method, an electronic signature attaches the identity of the signer to the document and records a binding commitment to the document.
- Electronic signatures are different from *digital* signatures. Digital signatures typically are in reference to a method of cryptography. While both terms may be used interchangeably, it is recommended to use the term *electronic signature* when referring to a user's signature to authentic a document.

Are electronic signatures legal?

- Yes, they are valid and legal in the United States, Canada, the European Union, the UK, and many other areas of the world. NOTE: The states of Illinois, New York, and Washington have not enacted the Uniform Electronic Transactions Act (UETA) but may have independent statutes on electronic signatures.

What are the benefits of using electronic signatures?

There are many benefits to using an electronic signature. Examples:

- Get documents signed fast
 - Draw signature using your computer mouse or touchpad
 - Take a photo of your signature using a mobile device
 - Sign using on a mobile device
- Portability, sign documents from anywhere without the need of paper
- Collect secure / legally binding signatures

What are electronic signatures used for?

Electronic signatures are used on every sort of document you can imagine. Examples:

- NDAs, timesheets, and employee onboarding paperwork
- Sales contracts, invoices, and approve proposals
- Fill out and sign leases and other legal agreements
- Electronically sign tax documents, bank forms, and insurance paperwork
- Fill out and sign permission slips, school forms, and releases

What are some examples used today at state agencies?

- Check box/submit button (Employee Self Service)
- Digitized Signatures (Credit card transactions above a certain value)

- Voice record (TeleFile)
- Shared information (Tax return - What is your PIN / what was entry on line x of last year’s return)

OK I want to use electronic signatures. How do I get started?

ITP-SEC006 outlines the requirements. In a nutshell, there are several considerations in determining the right method:

- What is the value of the transaction?
- What is the risk/impact involved?

Electronic Signature Examples	Examples of Transactions using Electronic Signature based on Risk and Impact Level
Low Risk / Low Impact Transactions – Level A	
<ul style="list-style-type: none"> • Name typed at the end of an email. • “I Agree” button on a web page • Digitized image of signature (Signature scanned from an original written signature) 	<ul style="list-style-type: none"> • Non-sensitive e-mail correspondance • Letter providing general information to citizens or business partners. • Acknowledgement that you read and agree with the information presented.
Low to Medium Risk / Medium to High Impact Transactions – Level B	
<ul style="list-style-type: none"> • User ID and Password (with SSL) • User ID and PIN 	<ul style="list-style-type: none"> • Online credit card payments • Sensitive e-mail correspondence • Online procurements • An agency provides PIN numbers to citizens to authenticate their identity for online tax filing. When combined with SSL, this provides sufficient authentication.
High Risk / High Impact Transactions – Level C	
<ul style="list-style-type: none"> • Digital Certificate • Biometrics 	<ul style="list-style-type: none"> • JNET / Criminal Justice • On-Line Medical Records Transmission

OK I found the best electronic signature method. What technology can I use?

- There are a multitude of vendors who provide e-signature technology in the marketplace. Picking the right solution is a matter of choice based upon your particular e-signature needs, budget, and business requirements.
- There is no product standard restriction for e-signature technology. As long as a solution you want to use meet the basic functional and business requirements and are supported by a vendor on state contract, you are free to use the technology of your choice.

Do I need an IT policy waiver?

- No, an IT policy waiver is not required to take advantage of using e-signatures.

OK. What if I am confused or need help picking the best method for my particular needs?

- Contact your agency IT office and agency Information Security Officer (ISO) for assistance.