

Board of Lucas County Commissioners



TITLE: ELECTRONIC SIGNATURE POLICY

POLICY NUMBER: 34a

RESOLUTION NUMBER: 2024-804

SUPERSEDES POLICY: 34

EFFECTIVE DATE: OCTOBER 22, 2024

PAGE: 1 of 3

I. SCOPE

This policy applies to all employees under the appointing authority and jurisdiction of the Board of Lucas County Commissioners, subject, where applicable, to collective bargaining agreements. The Policy was approved at the September 19, 2024 special meeting of the Data Processing Board.

II. PURPOSE

The purpose of this Electronic Signature Policy and Security Procedure (“Policy”) is to facilitate the usage of electronic signatures for all records and documents where it is legally permissible, operationally feasible to do so, where existing technology permits, and where it is otherwise appropriate based on the Department’s needs. To increase efficiency in matters requiring signature authorization, the Board of Lucas County Commissioners (the “Board”), either directly or through its authorized representatives, may require or permit a person to use an electronic signature in lieu of a handwritten signature to sign certain records or documents.

III. DEFINITIONS

The definitions set forth in sections 304.01 and 1306.01 of the Ohio Revised Code, as may be amended from time to time, shall apply to this Policy and are, by this reference, incorporated herein.

IV. POLICY LIMITATIONS

This policy is not meant to change any other authority or requirement including limitations on contract amounts or established routing/approval processes.

V. AUTHORITY

- A. **Binding Effect:** Pursuant to section 1306.06 of the Ohio Revised Code, an electronic signature shall be binding on the person and have the same force and effect as a handwritten signature.
- B. **Department Discretion:** This policy is intended to permit the broad use of electronic signatures but recognizes that there may be times when handwritten signatures are necessary. Responsibility for determining what documents require handwritten signatures rests with the Department Head.
- C. **Use of Electronic Signatures:** Employees are limited to use of electronic signature technology only within the scope of their authority to sign. An electronic signature is not valid if the individual does not have the authority to sign an electronic record.

VI. SECURITY PROCEDURES

- A. **Acceptable Technologies:** Given the complex nature and ongoing evolution of signature technologies, responsibility for identifying and vetting appropriate technologies that meet all legal requirements for Secure Electronic Signatures rests solely with Lucas County

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PAGE: 2 of 3

Information Services. Consequently, departments are authorized to initiate signatures only through the Board's approved signature service(s).

B. Secure Electronic Signatures: "Secure Electronic Signatures" are those that meet all the following criteria:

- i. Must be unique to the person using it.
- ii. Must be capable of verification.

This means that the technology used permits the signature's authenticity to be verified. Use of a signature service like Adobe Sign to add a digitally encrypted signature meets this requirement. Simply pasting a signature image into a Word document or PDF without other security does not meet this requirement because the image can be forged.

- iii. Must be under the sole control of the person using it.

Only the signatory can affix the signature. Department heads should NOT share their logins with assistants, deputies, or other staff.

- iv. Must be linked to the data in the document in such a manner that if any of the data is changed, the digital signature is invalidated.

C. External Signature Security: When an electronic signature initiated by another party is received, the receiving department should ensure, with a reasonable degree of certainty, that the sender's electronic signature was affixed by a service meeting the security controls of the Board. Departments in doubt should consult with Lucas County Information Services for assistance.

D. Alteration: A person to whom a record or document is submitted for electronic signature shall not modify or alter the original record or document, except for the addition of that person's electronic signature and, if applicable, date/time stamp.

VII. ACCOUNTABILITY

County employees' use of electronic signatures and/or records bearing electronic signatures shall be consistent with applicable federal, state, and local laws, as well as any regulations and policies including all information technology security policies.

Employees who use electronic signatures in a manner that is not consistent with applicable laws, policies, or procedures (e.g., falsifying a signature, altering signed documents, or unauthorized use of County eSignature licenses) may be subject to disciplinary action up to and including termination, and/or the conduct may result in criminal investigation and prosecution.

VIII. EFFECTIVE DATE

This Policy shall be effective immediately upon adoption by the Board of Lucas County Commissioners and continue in force and effect until amended, superseded, or rescinded.

References:

Ohio Revised Code Section 304.01 Definitions

Ohio Revised Code Section 1306.01 Definitions

Ohio Revised Code Section 1306.06 Electronic record or signature satisfies legal requirements

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PAGE: 3 of 3

For further information and guidance please refer to:

DocuSigned by:

Signature of County Administrator

10/24/2024

Date

Revision History: Policy #34, Resolution No. 08-113, Passed February 5, 2008