

Electronic Signature Policy

Version: 1.0

Effective Date: January 1, 2024

Policy Statement and Rationale

The objective of this policy is to establish electronic signature (e-signatures) standards at the Department of Administration (Admin), including the types of allowable e-signatures, the manner and format in which they must be affixed to an electronic record, and the criteria that must be met for attribution, as required by Minnesota Statutes, section 325L.18.

Minnesota's Uniform Electronic Transactions Act¹(UETA) defines an e-signature as “an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.”² The UETA allows a government agency to determine how they handle e-signatures in place of handwritten ones.³ The government agency may set criteria for e-signatures, such as the manner and format in which the e-signature was created, sent, received, and stored, with a focus on security.⁴ In setting criteria for e-signatures, the government agency may consider the consistency and interoperability with similar requirements adopted by other governmental agencies.⁵

Applicability

This policy applies to all Admin divisions and programs, and any entities or persons submitting signed documents to Admin, with the exception of any limitations in Minnesota Statutes, Chapter 79A or other legal requirements for signed documents (such as notarization). For example, this policy applies to performance reviews, positions descriptions, approval for payment, and internal review or approval of business processes. This policy does not replace the Office of State Procurement (OSP) [Electronic Signature Policy 19-01](#). Contracts submitted to OSP are subject to the requirements of Policy 19-01.

Under Minnesota Statutes, section 325L.09(b), an e-signature should be attributable to the person intending to sign the document. Based on the context and surrounding circumstances of different e- signatures, the Commissioner has set the following standards for e-signatures at Admin.

¹ Minn. Stat. Chapter 325L

² Minn. Stat. § 325L.02(h)

³ Minn. Stat. § 325L.18(a)

⁴ Minn. Stat. § 325L.18(b)

⁵ Minn. Stat. § 325L.19

E-signature Forms

See the table below for acceptable e-signature formats.⁶ Tier 1 formats are easily verifiable digital signatures. These are the preferred format for e-signatures and should be used when available and feasible. Tier 2 are still acceptable and can be used when Tier 1 is not readily available to the signer.

Acceptable Attribution
Tier 1
<ul style="list-style-type: none">• DocuSign
<ul style="list-style-type: none">• Adobe Sign with authentication
<ul style="list-style-type: none">• Approvals embedded within a state-approved system or database (such as SWIFT or EIOR)
Tier 2
<ul style="list-style-type: none">• Handwritten signatures on faxed or scanned documents
<ul style="list-style-type: none">• Authorization documented in an e-mail⁷
<ul style="list-style-type: none">• Signatures attributable to the signer using the “Comment” tools in Adobe
<ul style="list-style-type: none">• Digital signature created in Microsoft Office files
<ul style="list-style-type: none">• Embedding a copy of or drawing your official signature on a document
Not Accepted
<ul style="list-style-type: none">• A .bmp, .gif, .jpg, or .png image of a signature that is placed on a document by digitally copying and pasting it onto the document⁸
<ul style="list-style-type: none">• A signature created by selecting a script or calligraphy font for the typed name of the person “signing” unless it is attached to an e-mail attribution
<ul style="list-style-type: none">• “/s/” followed by a typed name unless it is attached to an e-mail attribution
<ul style="list-style-type: none">• Any other form of e-signature not noted in this policy

⁶ This chart may be updated with other forms of acceptable e-signatures as they are approved by the Department of Administration legal counsel.

⁷ A copy of the email must be retained with the document.

⁸ A signature must be embedded into the document to retain control of the signature. An image that easily copied from the document does not retain this control.

Resources and Related Information

- [OSP Policy 19-01: Electronic Signature](#)

History and Updates

Version	Description	Date
1.0	Initial Publication	January 1, 2024

Policy Owner/Contact

Admin Deputy Commissioner, General Counsel