

OSP Policy 19-01: Use of Electronic Signatures for Contracts

Version: 1.2

Effective Date: October 1, 2018

Policy Statement and Rationale

The objective of this policy is to provide all state agencies' contract and procurement staff with guidance and direction regarding the types of electronic signatures (e-signatures) that are accepted by the Department of Administration Office of State Procurement (OSP), including 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 Statutes, section 325L, Uniform Electronic Transactions Act (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." The UETA, specifically Minnesota Statutes, section 325L.18(a), allows a government agency to determine how they handle e-signatures in place of handwritten ones. The government agency may establish criteria for the use of e-signatures, such as the manner and format in which the e-signature is created, sent, received, and stored, with a focus on security. In establishing criteria for the use of e-signatures, the government agency may consider the consistency and interoperability with similar requirements adopted by other governmental agencies, as outlined in Minnesota Statutes, section 325L.19. OSP may reject e-signatures that do not fall under the acceptable attribution listed below.

If an agency desires to use an e-signature form beyond what is described in the table of acceptable e-signature forms, it must receive prior approval from either the acquisitions manager or professional and technical services contracts manager, depending on the type of procurement process being conducted.

Acceptable Attribution

- Approvals embedded within the SWIFT system.
- DocuSign.
- Adobe Sign with authentication.
- Handwritten signatures on faxed or scanned documents.

Not Accepted Attribution

- An electronic file of a signature, such as a .bmp, .gif, .jpg, or .png image, that is placed on a document by digitally copying and pasting it onto the document.
- 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.
- A signature created using "/s/" followed by a typed name unless it is attached to an e-mail attribution.
- Any other form of e-signature not noted in this policy.

Applicability

This policy applies to all departments, agencies, offices, councils, boards, commissions and other entities in the executive branch of Minnesota state government. This policy applies to all state contracts, including contracts for goods, general services, utilities, building construction, and professional and technical services, as well as all contract-related documents that the Office of State Procurement receives from other agencies for review and approval, including, but not limited to, certification forms, contracts, and amendments.

Resources and Related Information

- [Minnesota Statutes, section 325L](#), Uniform Electronic Transactions Act.

History and Updates

Version	Description	Date
1.0	Initial Publication	October 1, 2018
1.2	Reviewed and updated format	March, 1 2026

Policy Owner/Contact

Office of State Procurement director. If you have questions concerning this policy, please contact the Office of State Procurement Helpline at 651-296-2600.