

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18104. Secure Electronic Signatures.

(a) Except as otherwise provided by law, an agency responsible for maintaining original reports, statements, forms, and other documents required under the Act may receive such filings:

(1) In paper format with the filer's handwritten signature; or

(2) In electronic format with the filer's secure electronic signature, if permitted by the agency.

(b) A “secure electronic signature” means an electronic signature, as defined in subdivision (h) of Section 1633.2 of the California Civil Code, that:

(1) Is submitted through an electronic filing system established and operated in accordance with the Act; or

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

(A) Unique to the person using it;

(B) Capable of verification;

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

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

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

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

HISTORY

1. New section filed 12-7-2021; operative 1-6-2022 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2021, No. 50).