

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING
TITLE 1 OF THE SAN JOSE MUNICIPAL CODE BY
ADDING CHAPTER 1.21 TO AUTHORIZE ELECTRONIC
SIGNATURES ON DOCUMENTS USED AND ACCEPTED
BY THE CITY OF SAN JOSE**

WHEREAS, electronic signature technology allows the City of San José (“City”) to collect and preserve signatures on documents quickly, securely, and efficiently; and

WHEREAS, the conditions under which the City will accept electronic signatures on City documents are a municipal affair, wholly within the authority of the City Council to regulate pursuant to the City Charter; and

WHEREAS, Assembly Bill 2296 further clarifies that public entities may accept electronic signatures in addition to digital signatures; and

WHEREAS, the City desires to codify existing authorization, and, further, is committed to reducing waste and increasing efficiency for both staff and members of the public;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

Title 1 of the San José Municipal Code is hereby amended by adding a Chapter to be numbered and entitled and to read as follows:

Chapter 1.21
Electronic Signatures

1.21.010 Electronic Signatures

- A. The City may utilize or accept an electronic signature which meets the requirements of this Section and the guidelines established by the City Manager.
- B. The City Manager or his or her designee shall establish a list of technologies or vendors that generate electronic signatures that are presumptively acceptable to the City.
- C. The City Manager shall adopt guidelines to determine the level of security of the electronic signature required for various classes of documents, including classes of documents for which the City will not accept electronic signatures.
- D. For purposes of this Code, a document signed with an electronic signature pursuant to the City Manager guidelines shall be an original to the extent permitted by law.

PASSED FOR PUBLICATION of title this _____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk