E-Signature Guidance

Last Updated 09/08/2022

For certain documents submitted in a company's annual, quarterly, and/or application filings, the Surety Bond Branch requires proper signature and notarization. Notarizations may be wet or electronic, as permitted by each state. Signatures may be wet (including scanned copies of wet signatures) or electronic. Electronic signatures must meet the following conditions to be considered valid:

- **Consent to do business electronically** — All parties must agree to conduct transactions electronically, either explicitly or implied.

- **Intent to sign** — E-signatures are only valid if the signer intended to sign.

- **Association of signature with the record** — Signers must make a visible mark or statement on the e-document.

- **Attribution** — Whether a name or a unique mark, the signature must be attributable to the person signing and <u>only linked to them</u>. The context and circumstances under which the document was signed can indicate the attribution of an electronic signature. Proper attribution provides an audit trail including but not limited to elements such as timestamps, IP address, etc.

- **Record retention** — Signed electronic documents must be saved, viewed, or printed by either party and stored for future reference.

Electronic signatures not meeting the above conditions will not be accepted by the Surety Bond Branch. Please note that "cut and paste" signature images and formatted text alone will not be acceptable.

Please see examples of **<u>acceptable</u>** electronic signatures below.

Example 1:

Sign as "John Doe"   ✕

Appearance   Standard Text   ⌄   Create

John Doe   Digitally signed by John Doe
Date: 2020.04.08 12:29:21 -05'00'

☑ Lock document after signing   View Certificate Details

Example 2:

TITLE	Stock Options Agreement - Natasha Dimas
DOCUMENT ID	ee39ba1352bb8a9778ee555a1b66f
STATUS	● Completed

SENT	04/26/2021 03:59:13 UTC	Sent for signature to Natasha Dimas IP: 4.18.199.142
VIEWED	04/26/2021 05:27:48 UTC	Viewed by Natasha Dimas IP: 4.16.29.145
SIGNED	04/26/2021 03:46:02 UTC	Signed by Natasha Dimas IP: 4.16.29.145

Please see examples of **<u>unacceptable</u>** electronic signatures below:

<u>Example 1:</u>

Signature: _____ *John Smith* _____

<u>Example 2:</u>

Signature: _____ *Joan Smith* _____