

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5810

Chapter 72, Laws of 2015

64th Legislature
2015 Regular Session

ELECTRONIC SIGNATURES

EFFECTIVE DATE: 7/24/2015

Passed by the Senate March 5, 2015
Yeas 48 Nays 1

BRAD OWEN

President of the Senate

Passed by the House April 14, 2015
Yeas 96 Nays 1

FRANK CHOPP

Speaker of the House of Representatives

Approved April 24, 2015 3:00 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5810** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

April 25, 2015

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5810

Passed Legislature - 2015 Regular Session

State of Washington

64th Legislature

2015 Regular Session

By Senate Government Operations & Security (originally sponsored by Senators Roach, Liiias, and Chase; by request of Office of Financial Management)

READ FIRST TIME 02/17/15.

1 AN ACT Relating to the use, acceptance, and removal of barriers
2 to the use and acceptance of electronic signatures; amending RCW
3 18.25.020, 18.32.100, and 29A.72.010; reenacting and amending RCW
4 19.34.231; adding a new chapter to Title 19 RCW; and repealing RCW
5 39.04.390.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature recognizes that the
8 electronic signatures in global and national commerce act, 15 U.S.C.
9 Sec. 7001 et seq., applies to federal and state transactions,
10 including certain governmental transactions, in or affecting
11 interstate or foreign commerce relating to this state. In this act,
12 the legislature, to the extent not already authorized by federal or
13 state law, authorizes electronic dealings for governmental affairs
14 and establishes the implementation framework for electronic
15 governmental affairs and governmental transactions. This act is
16 intended to promote electronic transactions and remove barriers that
17 might prevent electronic transactions with governmental entities.

18 NEW SECTION. **Sec. 2.** (1) Unless specifically provided otherwise
19 by law or agency rule, whenever the use of a written signature is
20 authorized or required by this code with a state agency, an

1 electronic signature may be used with the same force and effect as
2 the use of a signature affixed by hand, as long as the electronic
3 signature conforms to the definition in section 3 of this act and the
4 writing conforms to section 4 of this act.

5 (2) Except as otherwise provided by law, each state agency may
6 determine whether, and to what extent, the agency will send and
7 accept electronic records and electronic signatures to and from other
8 persons and otherwise create, generate, communicate, store, process,
9 use, and rely upon electronic records and electronic signatures.
10 Nothing in this act requires a state agency to send or accept
11 electronic records or electronic signatures when a writing or
12 signature is required by statute.

13 (3) Except as otherwise provided by law, for governmental affairs
14 and governmental transactions with state agencies, each state agency
15 electing to send and accept shall establish the method that must be
16 used for electronic submissions and electronic signatures. The method
17 and process for electronic submissions and the use of electronic
18 signatures must be established by policy or rule and be consistent
19 with the policies, standards, or guidance established by the chief
20 information officer required in subsection (4) of this section.

21 (4)(a) The chief information officer, in coordination with state
22 agencies, must establish standards, guidelines, or policies for the
23 electronic submittal and receipt of electronic records and electronic
24 signatures for governmental affairs and governmental transactions.
25 The standards, policies, or guidelines must take into account
26 reasonable access by and ability of persons to participate in
27 governmental affairs or governmental transactions and be able to rely
28 on transactions that are conducted electronically with agencies.
29 Through the standards, policies, or guidelines, the chief information
30 officer should encourage and promote consistency and interoperability
31 among state agencies.

32 (b) In order to provide a single point of access, the chief
33 information officer must establish a web site that maintains or links
34 to the agency rules and policies established pursuant to subsection
35 (3) of this section.

36 NEW SECTION. **Sec. 3.** (1) Unless specifically provided otherwise
37 by law or rule or unless the context clearly indicates otherwise,
38 whenever the term "signature" is used in this code for governmental
39 affairs and is authorized by agency rule or policy pursuant to

1 section 2 of this act, the term includes an electronic signature as
2 defined in subsection (2) of this section.

3 (2) "Electronic signature" means an electronic sound, symbol, or
4 process attached to or logically associated with a contract or other
5 record and executed or adopted by a person with the intent to sign
6 the record.

7 NEW SECTION. **Sec. 4.** (1) Unless specifically provided otherwise
8 by law or rule or unless the context clearly indicates otherwise,
9 whenever the term "writing" is used in this code for governmental
10 affairs and is authorized by agency rule or policy pursuant to
11 section 2 of this act, the term means a record.

12 (2) "Record," as used in subsection (1) of this section, means
13 information that is inscribed on a tangible medium or that is stored
14 in an electronic or other medium and is retrievable in perceivable
15 form, except as otherwise defined for the purpose of state agency
16 record retention, preservation, or disclosure.

17 NEW SECTION. **Sec. 5.** (1) Unless specifically provided otherwise
18 by law or rule or unless the context clearly indicates otherwise,
19 whenever the term "mail" is used in this code and authorized by
20 agency rule or policy pursuant to section 2 of this act to transmit a
21 writing with a state agency, the term includes the use of mail
22 delivered through an electronic system such as email or secure mail
23 transfer if authorized by the state agency in rule.

24 (2) For the purposes of this section, "electronic" means relating
25 to technology having electrical, digital, magnetic, wireless,
26 optical, electromagnetic, or similar capabilities.

27 NEW SECTION. **Sec. 6.** For purposes of sections 2 through 5 of
28 this act, "state agency" means any state board, commission, bureau,
29 committee, department, institution, division, or tribunal in the
30 executive branch of state government, including statewide elected
31 offices and institutions of higher education created and supported by
32 the state government.

33 **Sec. 7.** RCW 18.25.020 and 1996 c 191 s 8 are each amended to
34 read as follows:

35 (1) Any person not now licensed to practice chiropractic in this
36 state and who desires to practice chiropractic in this state, before

1 it shall be lawful for him or her to do so, shall make application
2 therefor to the secretary, upon such form and in such manner as may
3 be adopted and directed by the secretary. Each applicant who
4 matriculates to a chiropractic college (~~after January 1, 1975~~),
5 shall have completed not less than one-half of the requirements for a
6 baccalaureate degree at an accredited and approved college or
7 university and shall be a graduate of a chiropractic school or
8 college accredited and approved by the commission and shall show
9 satisfactory evidence of completion by each applicant of a resident
10 course of study of not less than four thousand classroom hours of
11 instruction in such school or college. Applications shall be in
12 writing and shall be signed by the applicant (~~in his or her own~~
13 ~~handwriting and shall be sworn to before some officer authorized to~~
14 ~~administer oaths~~), and shall recite the history of the applicant as
15 to his or her educational advantages, his or her experience in
16 matters pertaining to a knowledge of the care of the sick, how long
17 he or she has studied chiropractic, under what teachers, what
18 collateral branches, if any, he or she has studied, the length of
19 time he or she has engaged in clinical practice; accompanying the
20 same by reference therein, with any proof thereof in the shape of
21 diplomas, certificates, and shall accompany said application with
22 satisfactory evidence of good character and reputation.

23 (2) Applicants shall follow administrative procedures and
24 administrative requirements and pay fees as provided in RCW 43.70.250
25 and 43.70.280.

26 **Sec. 8.** RCW 18.32.100 and 1994 sp.s. c 9 s 213 are each amended
27 to read as follows:

28 The applicant for a dentistry license shall file an application
29 on a form furnished by the secretary, stating the applicant's name,
30 age, place of residence, the name of the school or schools attended
31 by the applicant, the period of such attendance, the date of the
32 applicant's graduation, whether the applicant has ever been the
33 subject of any disciplinary action related to the practice of
34 dentistry, and shall include a statement of all of the applicant's
35 dental activities. This shall include any other information deemed
36 necessary by the commission.

37 The application shall be signed by the applicant (~~and sworn to~~
38 ~~by the applicant before some person authorized to administer oaths,~~)

1 and shall be accompanied by proof of the applicant's school
2 attendance and graduation.

3 **Sec. 9.** RCW 19.34.231 and 2011 1st sp.s. c 43 s 809 and 2011 c
4 183 s 2 are each reenacted and amended to read as follows:

5 ~~((1) If a signature of a unit of state or local government,~~
6 ~~including its appropriate officers or employees, is required by~~
7 ~~statute, administrative rule, court rule, or requirement of the~~
8 ~~office of financial management, that unit of state or local~~
9 ~~government may become a subscriber to a certificate issued by a~~
10 ~~licensed certification authority for purposes of conducting official~~
11 ~~public business with electronic records.~~

12 ~~(2))~~ A city or county may become a licensed certification
13 authority under RCW 19.34.100 for purposes of providing services to
14 local government, if authorized by ordinance adopted by the city or
15 county legislative authority.

16 ~~((3) A unit of state government, except the secretary, may not~~
17 ~~act as a certification authority.))~~

18 **Sec. 10.** RCW 29A.72.010 and 2003 c 111 s 1802 are each amended
19 to read as follows:

20 If any legal voter of the state, either individually or on behalf
21 of an organization, desires to petition the legislature to enact a
22 proposed measure, or submit a proposed initiative measure to the
23 people, or order that a referendum of all or part of any act, bill,
24 or law, passed by the legislature be submitted to the people, he or
25 she shall file with the secretary of state:

26 (1) A legible copy of the measure proposed, or the act or part of
27 such act on which a referendum is desired~~((, accompanied by an))~~;

28 (2) A signed affidavit, or electronic submission, that the
29 sponsor is a ~~((legal))~~ registered voter; and

30 (3) A filing fee prescribed under RCW 43.07.120.

31 NEW SECTION. **Sec. 11.** RCW 39.04.390 (Electronic competitive
32 bidding) and 2014 c 151 s 1 are each repealed.

33 NEW SECTION. **Sec. 12.** Sections 1 through 6 of this act
34 constitute a new chapter in Title 19 RCW.

Passed by the Senate March 5, 2015.
Passed by the House April 14, 2015.

Approved by the Governor April 24, 2015.
Filed in Office of Secretary of State April 25, 2015.