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ADMINISTRATIVE REGULATION
NUMBER

113

OPR: RESEARCH AND PLANNING

ELECTRONIC SIGNATURES IN ADOC GRANT APPLICATION POLICY

I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes that, in accordance with Alabama's Uniform Electronic Transactions Act, the ADOC may send, accept, and rely upon electronic signatures to and from other persons when applying for, accepting, or inquiring about grant money or other financial support for the ADOC.

II. POLICY

The ADOC establishes that to the fullest extent permitted by Alabama's Uniform Electronic Transactions Act, the ADOC may send, accept, and rely upon electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic signatures when applying for, accepting, or inquiring about grant money or other financial support available to the ADOC.

III. DEFINITION(S) AND ACRONYM(S)

- A. **Electronic Signatures or E-sign**: Legal concept that uses technology to ensure the signature may not be denied legal effect, validity, or enforceability.
- B. **Granting Agencies**: Individuals or agencies soliciting applications for, or making available to the ADOC, grant money or other financial support.
- C. **Uniform Electronic Transactions Act**: establishes the legal equivalence of electronic records and signatures with paper writings and manually signed signatures, removing barriers to electronic commerce.

IV. RESPONSIBILITIES

- A. The ADOC's use of electronic signatures when applying for, accepting, or inquiring about grant money or other financial support will comply with the following requirements:
1. Provide an identical copy of the original signed and executed document to the signer;
 2. Ensure non-repudiation (i.e., ensure that the signer cannot deny the fact that he or she electronically signed the document);
 3. Capture information about the process used to capture signatures (i.e., create an audit trail), including but not limited to:
 - a. IP address;
 - b. date and time stamp of all events;
 - c. all web pages, documents, disclosures, and other information presented; and
 - d. what each party acknowledged, agreed to, and signed.
 4. Encrypt, end-to-end, all communication within the signature process. Encryption technologies shall comply with state encryption standards, including the requirements that cryptographic modules be validated to the current Federal Information Processing Standards (FIPS).
- B. The Director of the Research and Planning Division, or his/her designee, shall notify granting agencies of those ADOC officials authorized to electronically sign documents necessary for the ADOC's pursuit of grant money or other financial support.
- C. The Director of the Research of Planning Division, or his/her designee, shall ensure that all ADOC officials authorized to electronically sign documents necessary for the ADOC's pursuit of grant money or other financial support shall have their own log-in credentials or personal identification.

V. PROCEDURES

- A. The Director of the Research and Planning Division of the ADOC, or his/her designee, shall notify granting agencies of those ADOC officials authorized to electronically sign documents necessary for the ADOC's pursuit of grant

money or other financial support, and shall ensure all have their own log-in credentials.

- B. The Commissioner of the ADOC, the Chief Financial Officer, the Grants Accountant, the Director of the Research and Planning Division, and the ADOC Grants Administrator, and the designees of each, shall have authorization to electronically sign documents on behalf of the ADOC when applying for, accepting, or inquiring about grant money or other financial support for the ADOC.

VI. DISPOSITION

Any forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

VII. FORMS

There are no forms prescribed in this regulation.

VIII. SUPERSEDES

This Administrative Regulation does not supersede any existing regulation.

IX. PERFORMANCE

- A. Alabama Uniform Electronic Transactions Act. Ala. Code (1975) §8-1A-1, et seq.
- B. State of Alabama Information Technology Policy; Policy 115: Electronic Signatures.



John Q. Hamm
Commissioner