

1300.41.8 Electronic Filing

(a)

Definitions: (1) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities; (2) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with an electronic record, executed or adopted by a party with the intent to represent a manual signature.

(1)

"Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities;

(2)

"Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with an electronic record, executed or adopted by a party with the intent to represent a manual signature.

(b)

Notwithstanding any other provision of the regulations contained in title 28 of the CCR, plans shall file electronically any document required or permitted by law to be filed with the Department, or its designated agent, except as specified in subsection (d).

(c)

Signatures: (1) The Plan shall submit to the Director for approval, the manner,

type, and format of signatures, including electronic signatures, which shall be required by the Department to be affixed to all filings. (2) Prior to submitting electronically, the plan shall certify, under penalty of perjury, that all statements within all documents filed electronically with the Department are true and correct. (3) Electronic signatures may be used to sign a legally effective declaration under penalty of perjury. (4) If notarization is required, an electronic signature to be notarized must be accompanied by the electronic signature of a notary public and must include all other information to render the notarization effective under California law. (5) The signature requirements apply to all plans, and their designated agents or representatives.

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Electronic signatures may be used to sign a legally effective declaration under penalty of perjury.

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The signature requirements apply to all plans, and their designated agents or representatives.

(d)

The Director may grant a one-time limited exemption upon a satisfactory showing that a plan lacks the electronic capacity to satisfy the requirements for electronic filings.