



# Oregon

Tina Kotek, Governor

## Public Employees Retirement System

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May 29, 2026

TO: Members of the PERS Board

FROM: Melanie Chandler, Research Policy Coordinator, Policy Analysis and Compliance Section  
Stephanie Vaughn, Manager, Policy Analysis and Compliance Section

SUBJECT: Notice of Rulemaking for Acceptable Signature Standard

OAR 459-005-0210 *Transmission of Information, Reports, and Documents*

### OVERVIEW

- Action: None. This is notice that staff has begun rulemaking.
- Reason: Clarify acceptable signatory documentation for PERS documents.
- Policy Issue: None identified.

### BACKGROUND

In 2020, employers adapting to evolving pandemic realities asked PERS to assess acceptability of forms submitted using electronic and digital signatures where the established requirement had been forms signed using a “wet signature.” *i.e.*, written by hand in ink. The other common types of signatures staff encountered include electronic signatures and digital signatures.

*Electronic signatures* replicate a person’s signature on a document using any symbol or series of symbols executed by an individual to be the binding equivalent of the individual’s handwritten signature. *Digital signatures* are based on cryptographic methods of originator authentication using certificates embedded in an electronic document that attest to the document’s authenticity.

Oregon PERS serves the people of Oregon by administering public employee benefit trusts to pay the right person the right benefit at the right time. Given the inherent risk of fraud, be it through identity theft or actions taken to trigger unauthorized distribution of benefits, staff evaluated the standard for appropriate signature based on the source of the document (*i.e.* PERS forms) rather than the type of signature being used.

Forms received from members, beneficiaries, or alternate payees (including POAs) involve the most risk as they indicate where and how benefits are paid. Recognizing this risk, the rule amendments clarify current practice of accepting only handwritten signatures of members, beneficiaries, or alternate payees, as wet signatures are unique for each individual and represent a verifiable record of a person’s consent and understanding of the actions being taken. The rule provides an exception for documents that are notarized via remote online notarization.

Most of the information received from employers is received electronically via Employer Data Exchange (EDX); however, PERS does receive some documents and communications outside EDX. Documents submitted to PERS by employers do not raise the same fraud and risk concerns as documents submitted by members, beneficiaries, and alternate payees. Thus, for PERS forms received from employers, PERS accepts any signature format, including digital or electronic signatures.

Finally, in the course of business, staff may also encounter digital and electronic signatures on other documents. For example, judges typically sign court orders in divorce cases using a digital/electronic signature, doctors may use digital/electronic signatures on disability forms, and financial institutions may sign trustee-to-trustee transfer forms with digital/electronic signatures. PERS staff can generally accept these signatures and do not need to distinguish based on the signature's format.

### PUBLIC COMMENT AND HEARING TESTIMONY

A rulemaking hearing will be held remotely, and in person, on June 23, 2026, at 2:00 p.m. The public comment period ends June 26, 2026, at 5:00 p.m.

### IMPACT

Mandatory: No

Benefit: Updates the rules to reflect current agency practice and provides clarification for members, employers, and the general public.

Cost: There are no discrete costs attributable to the rule.

### RULEMAKING TIMELINE

May 25, 2026:	Staff began the rulemaking process by filing Notice of Rulemaking with the Secretary of State.
May 29, 2026:	PERS Board notified that staff began the rulemaking process.
June 1, 2026:	Secretary of State publishes the Notice in the Oregon Administrative Rules Database. Notice is sent to employers, legislators, and interested parties. The public comment period begins.
June 23, 2026:	Rulemaking hearing to be held remotely and at the PERS headquarters at 2:00 p.m.
June 26, 2026:	Public comment period ends at 5:00 p.m.
July 24, 2026:	Staff will propose adopting the rule modifications, including any changes resulting from public comment or reviews by staff.

### NEXT STEPS

A rulemaking hearing will be held remotely on June 23, 2026. The rule is scheduled to be brought before the PERS Board for adoption at the July 24, 2026, board meeting.

B.1. Attachment 1 – OAR 459-005-0210 *Transmission of Information, Reports, and Documents*