

PERAC

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

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MEMORANDUM

TO: All Retirement Boards
 FROM: Bill Keefe, Executive Director
 RE: Proposed Amendment to Electronic Signature Regulations
 DATE: December 4, 2025

The Commission has recently filed an amendment to 840 CMR 28.00, *Electronic Signatures*. The amendment involves those forms which require a witness signature. The amendment will permit the requirement of a witness signature to be waived if a form is filed electronically, if certain security procedures are met. The Commission is proposing the following new subsection at the end of the existing electronic signature regulations:

28.08 Witness Requirement Waived for Electronic Filings

(1) If a prescribed form promulgated by PERAC requires the signature of a witness in written form, that requirement shall be waived in the case of a form submitted electronically, provided that a “security procedure” as defined in 840 CMR 28.02 is utilized.

840 CMR 28.02 defines “security procedure” as follows:

"Security procedure", a procedure employed for the purpose of verifying that an electronic signature, digital signature, record, or performance is that of a specific person or for detecting changes or errors in the information in an electronic or digital record. The term includes a procedure that requires the use of algorithms or other codes, identifying words or numbers, encryption, or callback or other acknowledgment procedures.



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One of the forms which requires a witness signature is the *Beneficiary Selection Form for Refund of Accumulated Deductions (If Member Dies Before Retirement)*. If a retirement board had adopted the Electronic Signatures regulation, with security measures in place, a member could fill out this form electronically, and no witness would be required.

PERAC will hold a remote hearing on the proposed amendment to 840 CMR 28.00 on **Wednesday January 7, 2026, at 10 a.m.** Directions to access the hearing can be located at PERAC's website <http://www.mass.gov/perac>. The Commission will accept written comments now through January 9, 2026 at 5:00 p.m. Comments may be sent to PERAC, 10 Cabot Road, Suite 300, Medford, MA 02155 or electronically by email to Doreen.m.duane@mass.gov.

Please contact General Counsel Judith Corrigan at Judith.a.corrigan@mass.gov or 617-666-4446 if you have any questions regarding the regulation.