
SENATE COMMITTEE ON LOCAL GOVERNMENT

Senator María Elena Durazo, Chair

2025 - 2026 Regular

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Version:	2/13/26	Consultant:	Favorini-Csorba

COUNTY CLERKS: CERTIFICATION OF RECORDS: SIGNATURE

Allows a county clerk to use a printed, stamped, or digital signature in certifying to a record.

Background

Clerks have held an important role in government for centuries. References to a *grammateus* responsible for keeping records of laws, decrees, and other documents date to the mid-sixth century before the common era in Athens. More recently, the original California Constitution adopted in 1849 named five county offices, one of which was the county clerk. Although the Constitution no longer specifically requires the office of county clerk, state law lists 24 different county officers, including the county clerk. The responsibilities of the county clerk include:

- Issuing public and confidential marriage licenses;
- Performing civil ceremonies;
- Filing Fictitious Business Name Statements;
- Administering loyalty oaths of office to county employees and elected officials;
- Filing powers of attorney for surety companies;
- Filing and posting public notices and environmental impact reports under the California Environmental Quality Act;
- Filing oaths of office for county officials and notaries within the county; and
- Filing conflict of interest statements for county officials.

In addition to these duties, county clerks act as the ex-officio clerk of the board of supervisors, unless the board appoints a separate clerk. In the role of clerk of the board, county clerks operate as the chief administrator of legislation for the county, fulfilling a variety of responsibilities that ensure that local ordinances and other actions by the county comply with applicable federal, state, and local laws. These laws include the Ralph M. Brown Act, the Public Records Act, and other laws that mandate transparency and public access for county actions and disseminate information on those actions. In all, California law mandates more than 30 specific duties for the clerk of the board. County clerks also act ex-officio as the registrar of voters, unless a separate registrar is appointed by the board of supervisors, as many have done.

County boards of supervisors can adopt ordinances to consolidate certain other offices with the county clerk in various combinations, some of which are only available to medium and small counties. 53 of the 58 counties consolidate the office of the county clerk with the office of the recorder into a clerk-recorder. County recorders are responsible for examining and recording all documents dealing with the ownership of land in counties. State law also allows the clerk to be combined with the auditor, the public administrator, or, in smaller counties, the tax collector, assessor, or treasurer.

Digital signatures. A county clerk must sign and affix a seal to documents when performing their official duties. State law allows a clerk of the board of supervisors to use digital signatures on record, books, minutes, and ordinances of the board of supervisors (SB 858, Committee on Local Government, 2025). County recorders may also use a printed, stamped, photographically reproduced facsimile, electronic, or otherwise digitally created signature in certifying to a record, as long as it has the recorders seal affixed to it (SB 882, Committee on Governance and Finance, 2023). However, state law doesn't explicitly authorize the use of digital signatures for county clerks. As a result, county clerks have been reluctant to adopt digital signatures in the course of their duties, even though the same official who holds a consolidated office (such as a clerk-recorder) may use them when carrying out other responsibilities. The California Association of Clerks and Election Officials wants the Legislature to allow county clerks to use digital signatures.

Proposed Law

Senate Bill 1080 allows a county clerk to use a printed, stamped, photographically reproduced facsimile, electronic, or otherwise digitally created signature in certifying to a record in the county clerk's office, provided that the certification includes the official seal of the county clerk's office. The bill also makes nonsubstantive changes to a separate section of law affecting county clerks, including eliminating gendered pronouns.

Comments

1. Purpose of the bill. According to the author, "Senate Bill 1080 will explicitly authorize county clerks to use electronic, digital, or facsimile signatures and seals when certifying records, similar to the authority already granted to county recorders. This proposal will provide statutory clarity and consistency across departments while enhancing public access to certified filed documents without compromising authenticity or legal validity. SB 1080 will also enable more efficient, secure, and accessible delivery of County Clerk services throughout California, allowing many procedures and interactions between the public and counties to be conducted entirely online."

2. Related legislation. SB 1439 (Committee on Local Government) contains various minor provisions affecting local agencies, including to make references to the county clerk gender-neutral. SB 1439 is currently pending referral in the Senate Rules Committee.

Support and Opposition (3/13/2026)

Support: California Association of Clerks & Election Officials (Sponsor)

Opposition: None Submitted

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