

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. Senate Bill 595

PRINTER NO. 1654

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

April 17, 2017

PRIME SPONSOR

Senator Folmer

DESCRIPTION

Senate Bill 595 amends Title 57 (Notaries Public) to allow for electronic notarization of documents.

The following provisions will become effective immediately. A notary may certify that a tangible copy of an electronic record is a true copy of the electronic copy. The Department of State shall promulgate regulations regarding, but not limited to, communication technology, identity proofing and retention periods for recordings. This legislation contains definitions for communication technology, foreign state, identity proofing, outside the United States and a remotely located individual. A recorder of deeds may utilize a tangible copy of an electronic record if the notary certifies that the copy is true and correct.

The following provisions will become effective January 1, 2020. Senate Bill 595 provides for the allowance of a notary to perform their duties for a remotely located individual. A notary must indicate that the act was performed by communication technology. The bill also provides for requirements for the sufficient completion of the short form certificate when using communication technology and the requirements for the department to consider when developing regulations for a notary performing their duties for a remotely located individual.

FISCAL IMPACT:

There is no fiscal impact to Commonwealth funds. Senate Bill 595 requires the Department of State to promulgate regulations on the provisions of the bill, which can be accomplished within existing staffing and funding levels provided to the department.