

AMENDMENTS TO AMENDMENT A06459 TO SENATE BILL NO. 595

Sponsor: SENATOR FOLMER

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1 Amend Amendments, page 1, line 5, by inserting after "acts,"
2 further providing for authority to perform notarial act,
3 Amend Amendments, page 1, line 6, by striking out the period
4 after "individuals" and inserting

5 and further providing for notification regarding performance
6 of notarial act on electronic record and selection of
7 technology.

8 Amend Amendments, page 1, lines 10 and 11, by striking out
9 all of said lines and inserting

10 Section 1. Section 304 of Title 57 of the Pennsylvania
11 Consolidated Statutes is amended by adding a subsection to read:
12 § 304. Authority to perform notarial act.

13 * * *

14 (c) Certification of tangible copies.--A notary public may
15 certify that a tangible copy of an electronic record is a true
16 and correct copy of the electronic record.

17 Section 2. Title 57 is amended by adding a section to read:

18 Amend Amendments, page 1, line 14, by striking out "(i)" and
19 inserting

20 (j)

21 Amend Amendments, page 1, by inserting between lines 14 and
22 15

23 (b) General rule.--A remotely located individual may comply
24 with section 306 (relating to personal appearance required) by
25 appearing before a notary public by means of communication
26 technology.

27 Amend Amendments, page 1, line 15, by striking out "(b)" and
28 inserting

1 (c)

2 Amend Amendments, page 1, lines 17 and 18, by striking out
3 "relating to a statement made in or signature executed on a
4 record by" and inserting

5 for

6 Amend Amendments, page 1, lines 22 through 29, by striking
7 out "; or" in line 22, all of lines 23 through 28 and "(3) The"
8 in line 29 and inserting

9 of the identity of the individual;

10 (ii) has satisfactory evidence of the identity of
11 the remotely located individual by oath or affirmation
12 from a credible witness appearing before the notary
13 public under section 307(b) or under this section; or

14 (iii) is able to reasonably identify the individual
15 by at least two different types of identity proofing
16 processes or services.

17 (2) The

18 Amend Amendments, page 1, line 29, by striking out "the" and
19 inserting

20 a

21 Amend Amendments, page 1, line 35, by striking out "(4)" and
22 inserting

23 (3)

24 Amend Amendments, page 2, line 3, by striking out "(5)" and
25 inserting

26 (4)

27 Amend Amendments, page 2, line 19, by striking out "(c)" and
28 inserting

29 (d)

30 Amend Amendments, page 2, lines 19 through 21, by striking
31 out "involves a" in line 19, all of line 20 and "remotely
32 located individual" in line 21 and inserting

33 is subject to this section

34 Amend Amendments, page 2, line 23, by inserting after "the"

1 short form

2 Amend Amendments, page 2, lines 24 and 25, by striking out
3 "individual was remotely located." and inserting
4 notarial act was performed by means of communication
5 technology.

6 Amend Amendments, page 2, line 26, by striking out "(d)" and
7 inserting

8 (e)

9 Amend Amendments, page 2, line 26, by inserting after "A"
10 short form

11 Amend Amendments, page 2, line 29, by inserting after "The"
12 short form

13 Amend Amendments, page 2, lines 31 through 33, by striking
14 out "a statement made in or a" in line 31, all of line 32 and
15 "individual using" in line 33 and inserting

16 the use of

17 Amend Amendments, page 2, line 35, by striking out "(g) (1)"
18 and inserting

19 (h) (1)

20 Amend Amendments, page 2, line 36, by striking out "(e)" and
21 inserting

22 (f)

23 Amend Amendments, page 2, line 41, by striking out "the" and
24 inserting

25 a

26 Amend Amendments, page 2, line 44, by striking out "(b) (4)"
27 and inserting

28 (c) (3)

29 Amend Amendments, page 2, line 49, by striking out "made" and
30 inserting

31 created

1 Amend Amendments, page 2, line 51, by striking out "(g) (4)"

2 and inserting

3 (h) (4)

4 Amend Amendments, page 3, line 1, by striking out "(f)" and

5 inserting

6 (g)

7 Amend Amendments, page 3, line 6, by striking out

8 "communication"

9 Amend Amendments, page 3, line 9, by striking out "(g)" and

10 inserting

11 (h)

12 Amend Amendments, page 3, line 12, by striking out "(g)" and

13 inserting

14 (h)

15 Amend Amendments, page 3, line 13, by striking out "may" and

16 inserting

17 shall

18 Amend Amendments, page 3, lines 14 and 15, by striking out

19 "with respect to a remotely located individual" and inserting

20 performed under this section

21 Amend Amendments, page 3, line 15, by striking out "may" and

22 inserting

23 shall

24 Amend Amendments, page 3, line 27, by inserting after

25 "recording"

26 created

27 Amend Amendments, page 3, line 27, by striking out "(b) (4)"

28 and inserting

29 (c) (4)

30 Amend Amendments, page 3, lines 28 through 32, by striking

1 out "and establish a procedure to" in line 28, all of lines 29
2 through 31 and "terminated" in line 32

3 Amend Amendments, page 3, line 33, by striking out "(h)" and
4 inserting

5 (i)

6 Amend Amendments, page 3, lines 33 and 34, by striking out
7 "or deleting" and inserting

8 , amending or repealing

9 Amend Amendments, page 3, line 44, by striking out "which"
10 and inserting

11 that

12 Amend Amendments, page 3, line 48, by striking out "(i)" and
13 inserting

14 (j)

15 Amend Amendments, page 4, line 1, by striking out "which" and
16 inserting

17 that

18 Amend Amendments, page 4, line 6, by inserting after
19 "impairment"

20 in accordance with law

21 Amend Amendments, page 4, line 21, by striking out "who
22 performs" and inserting

23 performing

24 Amend Amendments, page 4, line 22, by striking out "(b)" and
25 inserting

26 (c)

27 Amend Amendments, page 4, line 23, by striking out all of
28 said line and inserting

29 Section 3. Section 320 of Title 57 is amended by adding a
30 subsection to read:

31 § 320. Notification regarding performance of notarial act on

1 electronic record; selection of technology.

2 * * *

3 (c) Certification of tangible copies.--A recorder of deeds
4 may accept for recording a tangible copy of an electronic record
5 containing a notarial certificate as satisfying any requirements
6 that the record be an original, if the notarial officer
7 executing the notarial certificate certifies that the tangible
8 copy is a true and correct copy of the electronic record.

9 Section 4. This act shall take effect as follows:

10 (1) The addition of 57 Pa.C.S. §§ 304(c), 314.1(h) and
11 (j) and 320(c) shall take effect immediately.

12 (2) This section shall take effect immediately.

13 (3) The remainder of this act shall take effect January
14 1, 2020.