

Sean Miller
Kansas Land Title Association
Proponent of HB 2713
Senate Judiciary Committee
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Good morning Chairman Wilborn and members of the Senate Judiciary Committee. I am Sean Miller and I am here today on behalf of the Kansas Land Title Association (KLTA) to express our support of HB 2713 related to the Revised Uniform Law on Notarial Acts (RULONA).

I have attached the written testimony of Randy Barbour, KLTA's legislative Co-Chair, that was presented to this committee on March 11 of this year. After monitoring the adoption of RULONA across the nation in recent years, KLTA began working last fall in partnership with the Secretary of State, Kansas Bar Association and Professor James Concannon of the Uniform Law Commission (and Washburn Law School) to craft legislation that would allow Kansas to adopt and implement this modernized notarial act. Of specific interest to KLTA was the proper implementation of remote online notarization (RON). HB 2713 was the product of this partnership and it passed the Kansas House by a vote of 122-3.

After HB 2713 passed the House we were contacted by several national groups who suggested a few changes to the legislation. Most of the suggested changes were rather small, bringing our language closer to the uniform language, and we are also adding or correcting a couple of cross references where the current notary law is referenced in other sections of Kansas law. However I do want to highlight a substantive change in Section 11 (page 5 of HB 2713, lines 18-21) related to the full faith and credit of notarizations in other states. Upon further review of this language the Uniform Law Commission and several other stakeholder groups suggested that this section be returned to the original uniform language and we have all agreed that this change is needed.

As Kansans began transitioning to a more 'socially distant' state of life in late March and early April the Secretary of State began meeting with Legislative leadership and the Governor's office to ensure that document notarizations could continue in a safe and secure manner. This ultimately led to the issuance of Governor Kelly's EO 20-20 on April 9 which suspended the requirements in current law for individuals to appear in person before notaries, and allowed that requirement to be met through 2-way audio/visual communication as anticipated in HB 2713. Because of the issuance of this emergency order, we are also asking for an amendment that would recognize and affirm the validity of remote notarizations performed under the authority of EO 20-20.

In conclusion, the Kansas Land Title Association asks that this committee amend HB 2713 as suggested, and recommend the amended version of HB 2713 be passed by the full Senate this year to provide a quality framework for utilizing existing technology and provide a safe, and secure, option for remote notarizations going forward. Thank you for your support of HB 2713.