

HOUSE BILL No. 2713

By Committee on Judiciary

2-14

1 AN ACT *concerning notarial acts*; enacting the revised uniform law on
2 notarial acts; *validating certain notarial acts performed while the*
3 *requirements that a person must appear before a notary public are*
4 *suspended*; amending K.S.A. 16-1611, 58-2209 and 58-2211 and
5 K.S.A. 2019 Supp. **25-3602, 25-3902, 25-3902a, 25-3904, 25-3904a,**
6 49-512, **58-652** and 58-4403 and repealing the existing sections; also
7 repealing K.S.A. 53-101, 53-102, 53-103, 53-104, 53-105, 53-105a, 53-
8 106, 53-107, 53-109, 53-113, 53-114, 53-115, 53-116, 53-117, 53-118,
9 53-119, 53-120, 53-121, 53-501, 53-502, 53-503, 53-504, 53-505, 53-
10 506, 53-507, 53-508, 53-509, 53-510 and 53-511.

11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 New Section 1. (a) Sections 1 through 31, and amendments thereto,
14 shall be known and may be cited as the revised uniform law on notarial
15 acts.

16 (b) This section shall take effect on and after January 1, 2022.

17 New Sec. 2. As used in the revised uniform law on notarial acts:

18 (a) "Acknowledgment" means a declaration by an individual before a
19 notarial officer that the individual has signed a record for the purpose
20 stated in the record and, if the record is signed in a representative capacity,
21 that the individual signed the record with proper authority and signed it as
22 the act of the individual or entity identified in the record.

23 (b) "Electronic" means relating to technology having electrical,
24 digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

25 (c) "Electronic signature" means an electronic symbol, sound or
26 process attached to or logically associated with a record and executed or
27 adopted by an individual with the intent to sign the record.

28 (d) "In a representative capacity" means acting as:

29 (1) An authorized officer, agent, partner, trustee or other
30 representative for a person other than an individual;

31 (2) a public officer, personal representative, guardian or other
32 representative, in the capacity stated in a record;

33 (3) an agent or attorney-in-fact for a principal; or

34 (4) an authorized representative of another in any other capacity.

1 (e) "Notarial act" means an act, whether performed with respect to a
2 tangible or electronic record, that a notarial officer may perform under the
3 law of this state. "Notarial act" includes taking an acknowledgment,
4 administering an oath or affirmation, taking a verification on oath or
5 affirmation, witnessing or attesting a signature, certifying or attesting a
6 copy and noting a protest of a negotiable instrument.

7 (f) "Notarial officer" means a notary public or other individual
8 authorized to perform a notarial act.

9 (g) "Notary public" means an individual commissioned to perform a
10 notarial act by the secretary of state.

11 (h) "Official stamp" means a physical image affixed to or embossed
12 on a tangible record or an electronic image attached to or logically
13 associated with an electronic record, ***including an official notary seal.***

14 (i) "Person" means an individual, corporation, business trust,
15 statutory trust, estate, trust, partnership, limited liability company,
16 association, joint venture, public corporation, government or governmental
17 subdivision, agency or instrumentality or any other legal or commercial
18 entity.

19 (j) "Record" means information that is inscribed on a tangible
20 medium or that is stored in an electronic or other medium and is
21 retrievable in perceivable form.

22 (k) "Sign" means, with present intent to authenticate or adopt a
23 record, to:

24 (1) Execute or adopt a tangible symbol; or

25 (2) attach to or logically associate with the record an electronic
26 symbol, sound or process.

27 (l) "Signature" means a tangible symbol or an electronic signature
28 that evidences the signing of a record.

29 (m) "Stamping device" means:

30 (1) A physical device capable of affixing to or embossing on a
31 tangible record an official stamp; or

32 (2) an electronic device or process capable of attaching to or logically
33 associating with an electronic record an official stamp.

34 (n) "State" means a state of the United States, the District of
35 Columbia, Puerto Rico, the United States Virgin Islands or any territory or
36 insular possession subject to the jurisdiction of the United States.

37 (o) "Verification on oath or affirmation" means a declaration, made
38 by an individual on oath or affirmation before a notarial officer, that a
39 statement in a record is true.

40 (p) This section shall take effect on and after January 1, 2022.

41 New Sec. 3. (a) This act applies to a notarial act performed on or after
42 January 1, 2022.

43 (b) This section shall take effect on and after January 1, 2022.

1 New Sec. 4. (a) A notarial officer may perform the following notarial
2 acts:

- 3 (1) Taking an acknowledgment;
- 4 (2) administering an oath or affirmation;
- 5 (3) taking a verification upon oath or affirmation;
- 6 (4) witnessing or attesting a signature;
- 7 (5) certifying or attesting a copy;
- 8 (6) noting a protest of a negotiable instrument; and
- 9 (7) performing a notarial act authorized by the law of this state.

10 (b) A notarial officer may certify that a tangible copy of an electronic
11 record is an accurate copy of the electronic record.

12 (c) This section shall take effect on and after January 1, 2022.

13 New Sec. 5. (a) A notarial officer who takes an acknowledgment of a
14 record shall determine, from personal knowledge or satisfactory evidence
15 of the identity of the individual, that the individual appearing before the
16 officer and making the acknowledgment has the identity claimed and that
17 the signature on the record is the signature of the individual.

18 (b) A notarial officer who takes a verification of a statement on oath
19 or affirmation shall determine, from personal knowledge or satisfactory
20 evidence of the identity of the individual, that the individual appearing
21 before the officer and making the verification has the identity claimed and
22 that the signature on the statement verified is the signature of the
23 individual.

24 (c) A notarial officer who witnesses or attests to a signature shall
25 determine, from personal knowledge or satisfactory evidence of the
26 identity of the individual, that the individual appearing before the officer
27 and signing the record has the identity claimed.

28 (d) A notarial officer who certifies or attests a copy of a record or an
29 item that was copied shall determine that the copy is a full, true and
30 accurate transcription or reproduction of the record or item.

31 (e) A notarial officer who makes or notes a protest of a negotiable
32 instrument shall determine the matters provided in K.S.A. 84-3-505(b),
33 and amendments thereto.

34 (f) This section shall take effect on and after January 1, 2022.

35 New Sec. 6. (a) If a notarial act relates to a statement made in or a
36 signature executed on a record, the individual making the statement or
37 executing the signature shall appear personally before the notarial officer.

38 (b) This section shall take effect on and after January 1, 2022.

39 New Sec. 7. (a) A notarial officer has personal knowledge of the
40 identity of an individual appearing before the officer if the individual is
41 personally known to the officer through dealings sufficient to provide
42 reasonable certainty that the individual has the identity claimed.

43 (b) A notarial officer has satisfactory evidence of the identity of an

1 individual appearing before the officer if the officer can identify the
2 individual:

3 (1) By means of:

4 (A) A passport, driver's license or government-issued nondriver
5 identification card that is current or expired not more than three years
6 before performance of the notarial act; or

7 (B) another form of government identification issued to an individual
8 that is current or expired not more than three years before performance of
9 the notarial act, contains the signature and a photograph of the individual
10 and is satisfactory to the officer; or

11 (2) by a verification on oath or affirmation of a credible witness
12 personally appearing before the officer and known to the officer or whom
13 the officer can identify on the basis of a passport, driver's license or
14 government-issued nondriver identification card that is current or expired
15 not more than three years before performance of the notarial act.

16 (c) A notarial officer may require an individual to provide additional
17 information or identification credentials necessary to assure the officer of
18 the identity of the individual.

19 (d) This section shall take effect on and after January 1, 2022.

20 New Sec. 8. (a) A notarial officer may refuse to perform a notarial act
21 if the officer is not satisfied that the:

22 (1) Individual executing the record is competent or has the capacity to
23 execute the record; or

24 (2) individual's signature is knowingly and voluntarily made.

25 (b) A notarial officer may refuse to perform a notarial act unless
26 refusal is prohibited by the law of this state *or by federal law*.

27 (c) This section shall take effect on and after January 1, 2022.

28 New Sec. 9. (a) If an individual is physically unable to sign a record,
29 the individual may direct an individual other than the notarial officer to
30 sign the individual's name on the record. The notarial officer shall insert:

31 "Signature affixed by (name other than the individual) at the direction
32 of (name of individual)" or similar words.

33 (b) This section shall take effect on and after January 1, 2022.

34 New Sec. 10. (a) A notarial act may be performed in this state by:

35 (1) A notary public of this state;

36 (2) a judge, clerk or deputy clerk of any court of this state;

37 (3) a county clerk or deputy county clerk;

38 (4) an election commissioner or assistant election commissioner; or

39 (5) any other person authorized to perform the specific act by the law
40 of this state.

41 (b) The signature and title of an individual performing a notarial act
42 in this state are prima facie evidence that the signature is genuine and that
43 the individual holds the designated title.

1 (c) The signature and title of a notarial officer described in subsection
 2 (a)(1), (a)(2), (a)(3) or (a)(4) conclusively establish the authority of the
 3 officer to perform the notarial act.

4 (d) This section shall take effect on and after January 1, 2022.

5 New Sec. 11. (a) A notarial act performed in another state has the
 6 same effect under the law of this state as if performed by a notarial officer
 7 of this state if:

8 ~~(1)~~ the act performed in that state is performed by:

9 ~~(A)(1)~~ A notary public of that state;

10 ~~(B)(2)~~ a judge, clerk or deputy clerk of a court of that state; or

11 ~~(C)(3)~~ any other individual authorized by the laws of that state to
 12 perform the notarial act;

13 ~~(2) the laws of the state that has commissioned the notary public~~
 14 ~~require the notary public to be present in that state while performing the~~
 15 ~~notarial act; and~~

16 ~~(3) in the case of a notarial act where a physical presence requirement~~
 17 ~~between the notary public and the individual is satisfied by the use of~~
 18 ~~audio and video communication technology between the notary public and~~
 19 ~~a remotely located individual, the laws of the state that has commissioned~~
 20 ~~the notary public require the notary public to ascertain the identity of the~~
 21 ~~remotely located individual by:~~

22 ~~(A) Personal knowledge of the identity of the individual; or~~

23 ~~(B) obtaining satisfactory evidence of the identity of the remotely~~
 24 ~~located individual by a review of personal information from two different~~
 25 ~~public or private data sources.~~

26 (b) The signature and title of an individual performing a notarial act
 27 in another state are prima facie evidence that the signature is genuine and
 28 that the individual holds the designated title.

29 (c) ***The signature and title of a notarial officer described in***
 30 ***subsection (a)(1) or (2) conclusively establish the authority of the officer***
 31 ***to perform the notarial act.***

32 (d) This section shall take effect on and after January 1, 2022.

33 New Sec. 12. (a) A notarial act performed under the authority and in
 34 the jurisdiction of a federally recognized Indian tribe has the same effect
 35 under the law of this state as if performed by a notarial officer of this state,
 36 if the act performed in the jurisdiction of the tribe is performed by:

37 (1) A notary public of the tribe;

38 (2) a judge, clerk or deputy clerk of a court of the tribe; or

39 (3) any other individual authorized by the law of the tribe to perform
 40 the notarial act.

41 (b) The signature and title of an individual performing a notarial act
 42 under the authority of and in the jurisdiction of a federally recognized
 43 Indian tribe are prima facie evidence that the signature is genuine and that

1 the individual holds the designated title.

2 (c) The signature and title of a notarial officer described in subsection
3 (a)(1) or (a)(2) conclusively establish the authority of the officer to
4 perform the notarial act.

5 (d) This section shall take effect on and after January 1, 2022.

6 New Sec. 13. (a) A notarial act performed under federal law has the
7 same effect under the law of this state as if performed by a notarial officer
8 of this state, if the act performed under federal law is performed by:

9 (1) A judge, clerk or deputy clerk of a court;

10 (2) an individual in military service or performing duties under the
11 authority of military service who is authorized to perform notarial acts
12 under federal law;

13 (3) an individual designated a notarizing officer by the United States
14 department of state for performing notarial acts overseas; or

15 (4) any other individual authorized by federal law to perform the
16 notarial act.

17 (b) The signature and title of an individual acting under federal
18 authority and performing a notarial act are prima facie evidence that the
19 signature is genuine and that the individual holds the designated title.

20 (c) The signature and title of an officer described in subsection (a)(1),
21 (a)(2) or (a)(3) conclusively establish the authority of the officer to
22 perform the notarial act.

23 (d) This section shall take effect on and after January 1, 2022.

24 New Sec. 14. (a) If a notarial act is performed under authority and in
25 the jurisdiction of a foreign state or constituent unit of the foreign state or
26 is performed under the authority of a multinational or international
27 governmental organization, the act has the same effect under the law of
28 this state as if performed by a notarial officer of this state.

29 (b) If the title of office and indication of authority to perform notarial
30 acts in a foreign state appears in a digest of foreign law or in a list
31 customarily used as a source for that information, the authority of an
32 officer with that title to perform notarial acts is conclusively established.

33 (c) The signature and official stamp of an individual holding an office
34 described in subsection (b) are prima facie evidence that the signature is
35 genuine and the individual holds the designated title.

36 (d) An apostille in the form prescribed by the hague convention of
37 October 5, 1961, and issued by a foreign state party to the convention
38 conclusively establishes that the signature of the notarial officer is genuine
39 and that the officer holds the indicated office.

40 (e) A consular authentication issued by an individual designated by
41 the United States department of state as a notarizing officer for performing
42 notarial acts overseas and attached to the record with respect to which the
43 notarial act is performed conclusively establishes that the signature of the

1 notarial officer is genuine and that the officer holds the indicated office.

2 (f) As used in this section, "foreign state" means a government other
3 than the United States, a state or a federally recognized Indian tribe.

4 (g) This section shall take effect on and after January 1, 2022.

5 New Sec. 15. (a) A remotely located individual may comply with
6 section 6, and amendments thereto, by using communication technology to
7 appear before a notary public.

8 (b) A notary public located in this state may perform a notarial act
9 using communication technology for a remotely located individual if:

10 (1) The notary public:

11 (A) Has personal knowledge under section 7(a), and amendments
12 thereto, of the identity of the individual;

13 (B) has satisfactory evidence of the identity of the remotely located
14 individual by oath or affirmation from a credible witness appearing before
15 the notary public under this section or section 7(b), and amendments
16 thereto; or

17 (C) has obtained satisfactory evidence of the identity of the remotely
18 located individual by using at least two different types of identity proofing;

19 (2) the notary public is able reasonably to confirm that a record
20 before the notary public is the same record in which the remotely located
21 individual made a statement or on which the individual executed a
22 signature;

23 (3) the notary public, or a person acting on behalf of the notary
24 public, creates an audio-visual recording of the performance of the notarial
25 act; and

26 (4) for a remotely located individual located outside the United
27 States:

28 (A) The record:

29 (i) Is to be filed with or relates to a matter before a public official or
30 court, governmental entity or other entity subject to the jurisdiction of the
31 United States; or

32 (ii) involves property located in the territorial jurisdiction of the
33 United States or involves a transaction substantially connected with the
34 United States; and

35 (B) the act of making the statement or signing the record is not
36 prohibited by the foreign state in which the remotely located individual is
37 located.

38 (c) If a notarial act is performed under this section, the certificate of
39 notarial act required by section 16, and amendments thereto, and the short-
40 form certificate provided in section 17, and amendments thereto, shall
41 indicate that the notarial act was performed using communication
42 technology.

43 (d) A short-form certificate provided in section 17, and amendments

1 thereto, for a notarial act subject to this section is sufficient if it:

2 (1) Complies with rules and regulations adopted pursuant to section
3 27, and amendments thereto; or

4 (2) is in the form provided in section 17, and amendments thereto,
5 and contains a statement substantially as follows: "This notarial act
6 involved the use of communication technology."

7 (e) A notary public, a guardian, conservator or agent of a notary
8 public or a personal representative of a deceased notary public, shall retain
9 the audio-visual recording created under subsection (b)(3) or cause the
10 recording to be retained by a repository designated by or on behalf of the
11 person required to retain the recording. Unless a different period is
12 required by rules and regulations adopted pursuant to section 27, and
13 amendments thereto, the recording shall be retained for a period of at least
14 10 years after the recording is made.

15 (f) Before a notary public performs the notary public's initial notarial
16 act under this section, the notary public shall notify the secretary of state
17 that the notary public will be performing notarial acts with respect to
18 remotely located individuals, identify the technologies the notary public
19 intends to use and provide evidence of completion of the course of study
20 and passing of the examination required by section 23, and amendments
21 thereto. If the secretary of state has established standards in rules and
22 regulations adopted pursuant to section 27, and amendments thereto, for
23 approval of communication technology or identity proofing, the
24 communication technology and identity proofing shall conform to the
25 standards. A notary public notifying the secretary of state under this
26 section shall pay an information and services fee in an amount to be
27 determined by the secretary of state but not to exceed \$25. The secretary of
28 state shall remit all moneys received under this section to the state
29 treasurer in accordance with the provisions of K.S.A. 75-4215, and
30 amendments thereto. Upon receipt of each such remittance, the state
31 treasurer shall deposit the entire amount in the state treasury to the credit
32 of the information and services fee fund.

33 (g) As used in this section:

34 (1) "Communication technology" means an electronic device or
35 process that:

36 (A) Allows a notary public and a remotely located individual to
37 communicate with each other simultaneously by sight and sound; and

38 (B) when necessary and consistent with other applicable law,
39 facilitates communication with a remotely located individual who has a
40 vision, hearing or speech impairment.

41 (2) "Foreign state" means a jurisdiction other than the United States, a
42 state or a federally recognized Indian tribe.

43 (3) "Identity proofing" means a process or service by which a third

1 person provides a notary public with a means to verify the identity of a
2 remotely located individual by a review of personal information from
3 public or private data sources.

4 (4) "Outside the United States" means a location outside the
5 geographic boundaries of the United States, Puerto Rico, the United States
6 Virgin Islands, and any territory, insular possession or other location
7 subject to the jurisdiction of the United States.

8 (5) "Remotely located individual" means an individual who is not in
9 the physical presence of the notary public who performs a notarial act
10 under subsection (b).

11 (h) This section shall take effect on and after January 1, 2022.

12 New Sec. 16. (a) A notarial act shall be evidenced by a certificate that
13 shall:

14 (1) Be executed contemporaneously with the performance of the
15 notarial act;

16 (2) be signed and dated by the notarial officer and, if the notarial
17 officer is a notary public, be signed in the same manner as on file with the
18 secretary of state;

19 (3) identify the jurisdiction in which the notarial act is performed;

20 (4) contain the title of office of the notarial officer; and

21 (5) if the notarial officer is a notary public, indicate the date of
22 expiration, if any, of the officer's commission.

23 (b) If a notarial act regarding a tangible record is performed by a
24 notary public, an official stamp shall be affixed to or embossed on the
25 certificate. If a notarial act is performed regarding a tangible record by a
26 notarial officer other than a notary public and the certificate contains the
27 information specified in subsections (a)(2), (a)(3), ~~and (a)(4) and (a)(5)~~, an
28 official stamp may be affixed to or embossed on the certificate. If a
29 notarial act regarding an electronic record is performed by a notarial
30 officer and the certificate contains the information specified in subsections
31 (a)(2), (a)(3), (a)(4) and (a)(5), an official stamp may be attached to or
32 logically associated with the certificate.

33 (c) A certificate of a notarial act is sufficient if it meets the
34 requirements of subsections (a) and (b) and:

35 (1) Is in a short form set forth in section 17, and amendments thereto;

36 (2) is in a form otherwise permitted by the law of this state;

37 (3) is in a form permitted by the law applicable in the jurisdiction in
38 which the notarial act was performed; or

39 (4) sets forth the actions of the notarial officer and the actions are
40 sufficient to meet the requirements of the notarial act as provided in
41 sections 5, 6 and 7, and amendments thereto, or the law of this state.

42 (d) By executing a certificate of a notarial act, a notarial officer
43 certifies that the officer has complied with the requirements and made the

1 determinations specified in sections 4, 5 and 6, and amendments thereto.

2 (e) A notarial officer shall not affix the officer's signature to, or
3 logically associate it with, a certificate until the notarial act has been
4 performed.

5 (f) If a notarial act is performed regarding a tangible record, a
6 certificate shall be part of, or securely attached to, the record. If a notarial
7 act is performed regarding an electronic record, the certificate shall be
8 affixed to, or logically associated with, the electronic record. If the
9 secretary of state has established standards in rules and regulations
10 adopted pursuant to section 27, and amendments thereto, for attaching,
11 affixing or logically associating the certificate, the process shall conform
12 to the standards.

13 (g) If a notary public willfully neglects or refuses to attach to a
14 notarial certificate the date of expiration of the notary public's commission,
15 as provided in subsection (a)(5), then the notary public is guilty of a class
16 C nonperson misdemeanor.

17 (h) This section shall take effect on and after January 1, 2022.

18 New Sec. 17. The secretary of state shall adopt rules and regulations
19 providing short-form certificates of notarial acts that are sufficient for the
20 purposes indicated if completed with the information required by section
21 16(a) and (b), and amendments thereto.

22 New Sec. 18. (a) The official stamp of a notary public shall include
23 the notary public's name exactly as it appears on the application for
24 commission as a notary public, the words "notary public" and "State of
25 Kansas", and other information required by the secretary of state, and be
26 capable of being copied together with the record to which it is affixed or
27 attached or with which it is logically associated. No notary public shall use
28 such stamp unless an impression thereof has been filed in the office of the
29 secretary of state.

30 (b) This section shall take effect on and after January 1, 2022.

31 New Sec. 19. (a) A notary public is responsible for the security of the
32 notary public's stamping device and shall not allow another individual to
33 use the device to perform a notarial act. On resignation from, or the
34 revocation or expiration of, the notary public's commission, or on the
35 expiration of the date set forth in the stamping device, if any, the notary
36 public shall disable the stamping device by destroying, defacing,
37 damaging, erasing or securing it against use in a manner that renders it
38 unusable. On the death or adjudication of incompetency of a notary public,
39 the notary public's personal representative or guardian or any other person
40 knowingly in possession of the stamping device shall render it unusable by
41 destroying, defacing, damaging, erasing or securing it against use in a
42 manner that renders it unusable.

43 (b) If a notary public's stamping device is lost or stolen, the notary

1 public or the notary public's personal representative or guardian shall
2 promptly notify the secretary of state on discovering that the device is lost
3 or stolen.

4 (c) This section shall take effect on and after January 1, 2022.

5 New Sec. 20. (a) A notary public shall maintain a journal in which the
6 notary public chronicles all notarial acts that the notary public performs.
7 The notary public shall retain the journal for 10 years after the
8 performance of the last notarial act chronicled in the journal.

9 (b) A journal shall be created on a tangible medium or in an
10 electronic format. A notary public shall maintain ~~a~~ **only one** journal **in a**
11 **tangible medium or one or more journals in an electronic format** to
12 chronicle all notarial acts performed regarding electronic records. If the
13 journal is maintained on a tangible medium, it shall be a permanent, bound
14 register with numbered pages. If the journal is maintained in an electronic
15 format, it shall be in a permanent, tamper-evident electronic format
16 complying with the rules and regulations of the secretary of state.

17 (c) An entry in a journal shall be made contemporaneously with
18 performance of the notarial act and contain the following information:

19 (1) The date and time of the notarial act;

20 (2) a description of the record, if any, and type of notarial act;

21 (3) the full name and address of each individual for whom the notarial
22 act is performed;

23 (4) if identity of the individual is based on personal knowledge, a
24 statement to that effect;

25 (5) if identity of the individual is based on satisfactory evidence, a
26 brief description of the method of identification and the identification
27 credential presented, if any, including the date of issuance and expiration
28 of any identification credential; and

29 (6) the fee, if any, charged by the notary public.

30 (d) If a notary public's journal is lost or stolen, the notary public shall
31 promptly notify the secretary of state on discovering that the journal is lost
32 or stolen.

33 (e) On resignation from, or the revocation or suspension of, a notary
34 public's commission, the notary public shall retain the notary public's
35 journal in accordance with subsection (a) and inform the secretary of state
36 where the journal is located.

37 (f) Instead of retaining a journal as provided in subsections (a) and
38 (e), a current or former notary public may transmit the journal to a
39 repository approved by the secretary of state.

40 (g) On the death or adjudication of incompetency of a current or
41 former notary public, the notary public's personal representative or
42 guardian or any other person knowingly in possession of the journal shall:

43 (1) Retain the notary public's journal in accordance with subsection

1 (a) or transmit the journal to a repository approved by the secretary of
2 state; and

3 (2) inform the secretary of state where the journal is located.

4 (h) This section shall take effect on and after January 1, 2022.

5 New Sec. 21. (a) A notary public may select one or more tamper-
6 evident technologies to perform notarial acts with respect to electronic
7 records. A person shall not require a notary public to perform a notarial act
8 with respect to an electronic record with a technology that the notary
9 public has not selected.

10 (b) Before a notary public performs the notary public's initial notarial
11 act with respect to an electronic record, a notary public shall notify the
12 secretary of state that the notary public will be performing notarial acts
13 with respect to electronic records, identify the technology the notary public
14 intends to use and provide evidence of completion of the course of study
15 and passing of the examination required by section 23, and amendments
16 thereto. If the secretary of state has established standards in rules and
17 regulations for approval of technology pursuant to section 27, and
18 amendments thereto, the technology shall conform to such standards. If the
19 technology conforms to the standards, the secretary of state shall approve
20 the use of the technology. A notary public notifying the secretary of state
21 pursuant to this section shall pay an information and services fee in an
22 amount determined by the secretary of state adopted in rules and
23 regulations, not to exceed \$25. The secretary of state shall remit all
24 moneys received under this section to the state treasurer in accordance
25 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon
26 receipt of each such remittance, the state treasurer shall deposit the entire
27 amount in the state treasury to the credit of the information and services
28 fee fund.

29 (c) A register of deeds may accept for recording a tangible copy of an
30 electronic record containing a notarial certificate as satisfying any
31 requirement that a record accepted for recording be an original, if the
32 notarial officer executing the notarial certificate certifies that the tangible
33 copy is an accurate copy of the electronic record.

34 (d) This section shall take effect on and after January 1, 2022.

35 New Sec. 22. (a) An individual qualified under subsection (c) may
36 apply to the secretary of state for a commission as a notary public. The
37 applicant shall file with the secretary of state an application for
38 appointment as a notary public that includes:

39 (1) An oath of office;

40 (2) an assurance in the form of a surety bond or its functional
41 equivalent in the amount of \$12,000 that shall be issued by a surety or
42 other entity licensed or authorized to do business in this state;

43 (3) evidence of completion of the course of study and passing of the

- 1 examination required by section 23, and amendments thereto, if required;
- 2 (4) the official signature and an impression of the stamp to be used by
3 the notary public; and
- 4 (5) an application fee in the amount of \$10.
- 5 (b) An application, oath of office and surety bond or its functional
6 equivalent received pursuant to this section and a record of commission
7 issued under this section shall be filed in the office of the secretary of state
8 and properly indexed in that office. The secretary of state shall remit all
9 moneys received under this section to the state treasurer in accordance
10 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon
11 receipt of each such remittance, the state treasurer shall deposit the entire
12 amount in the state treasury to the credit of the state general fund.
- 13 (c) An applicant for a commission as a notary public shall:
- 14 (1) Be at least 18 years of age;
- 15 (2) be a citizen of the United States;
- 16 (3) be a resident of this state or be a resident of a state bordering on
17 this state and have a regular place of employment or practice in this state;
- 18 (4) be able to read and write the English language; and
- 19 (5) not be disqualified to receive a commission by section 24, and
20 amendments thereto.
- 21 (d) The assurance required in subsection (a) shall cover acts
22 performed during the term of the notary public's commission and shall be
23 in the form prescribed by the secretary of state. If a notary public violates
24 law with respect to notaries public in this state, the surety or issuing entity
25 is liable under the assurance. No suit shall be instituted against a notary
26 public or the surety or issuing entity under the notary public's assurance
27 more than three years after the cause of action accrues. The surety or
28 issuing entity shall give notice to the secretary of state 30 days before
29 canceling the assurance. The surety or issuing entity shall no longer be
30 liable on such assurance 30 days after receipt of such notice by the
31 secretary of state. Whenever the secretary of state receives such notice of
32 intent to cancel a notary public's assurance, the secretary of state shall
33 notify the affected notary public that unless such notary public files
34 another assurance satisfying the requirements of this subsection with the
35 secretary of state on or before the cancellation date, then such notary
36 public will no longer be authorized to perform notarial acts within this
37 state. The surety or issuing entity shall notify the secretary of state not later
38 than 30 days after making a payment to a claimant under the assurance or
39 the denial of a claim under the assurance. A notary public may perform
40 notarial acts in this state only during the period that a valid assurance is on
41 file with the secretary of state.
- 42 (e) Any person injured by the failure of a notary public to faithfully
43 perform any notarial act for which a bond or its functional equivalent is

1 given under the laws of this state may sue in the person's own name in any
2 court of competent jurisdiction to recover the damages the person may
3 have sustained by such failure.

4 (f) The secretary of state shall issue a commission as a notary public
5 to an applicant for a term of four years, unless sooner revoked under
6 section 24, and amendments thereto, if such applicant complies with the
7 provisions of this section.

8 (g) A commission to act as a notary public authorizes the notary
9 public to perform notarial acts. The commission does not provide the
10 notary public any immunity or benefit conferred by law of this state on
11 public officials or employees. A notary public shall not be considered a
12 state officer.

13 (h) If a notary public changes name by any legal action, such notary
14 shall obtain a new official stamp that meets the requirements established
15 by section 18, and amendments thereto, and the stamp shall contain the
16 new name of the notary public. Prior to performing any acts as a notary
17 public after such change, the notary shall mail or deliver to the secretary of
18 state notice of the change of name and shall include a specimen of the new
19 stamp and a specimen of the notary's new official signature.

20 (i) If a notary public obtains a new stamp for any reason, the notary
21 shall mail or deliver to the secretary of state notice of the change of stamp
22 that shall include an impression of the new stamp.

23 (j) An individual may resign from the office of notary public by
24 sending by mail or delivering to the secretary of state a notification of the
25 individual's resignation or intent or desire to resign. The individual's
26 commission as notary public shall terminate upon delivery of the
27 notification.

28 (k) A notary public's commission may not be automatically renewed.
29 A notary public who desires to renew a commission shall be qualified and
30 apply for a new commission pursuant to this section.

31 (l) This section shall take effect on and after January 1, 2022.

32 New Sec. 23. (a) Before a notary public performs the notary public's
33 initial notarial act with respect to an electronic record, a notary public shall
34 pass an examination administered by the secretary of state or an entity
35 approved by the secretary of state. The examination shall be based on the
36 course of study described in subsection (b).

37 (b) The secretary of state or an entity approved by the secretary of state
38 shall offer regularly a course of study to notaries public in this state. The
39 course shall cover the laws, rules, procedures and ethics relevant to
40 notarial acts with respect to electronic records.

41 (c) This section shall take effect on and after January 1, 2022.

42 New Sec. 24. (a) The secretary of state may deny, refuse to renew,
43 revoke, suspend or impose a condition on a commission as notary public

1 for any act or omission that demonstrates the individual lacks the honesty,
2 integrity, competence or reliability to act as a notary public, including:

3 (1) Failure to comply with this act;

4 (2) a fraudulent, dishonest, deceitful, misstatement or omission in the
5 application for a commission as a notary public submitted to the secretary
6 of state;

7 (3) a conviction of the applicant or notary public of any felony or a
8 crime involving fraud, dishonesty or deceit, including entering into a
9 diversion agreement in lieu of further criminal proceedings for such crime;

10 (4) a finding against, or admission of liability by, the applicant or
11 notary public in any legal proceeding or disciplinary action based on the
12 applicant's or notary public's fraud, dishonesty or deceit;

13 (5) failure by the notary public to discharge any duty required of a
14 notary public, whether by this act, rules and regulations of the secretary of
15 state or any federal or state law;

16 (6) use of false or misleading advertising or representation by the
17 notary public representing that the notary has a duty, right or privilege that
18 the notary does not have;

19 (7) violation by the notary public of a rule and regulation of the
20 secretary of state regarding a notary public;

21 (8) denial, refusal to renew, revocation, suspension or conditioning of
22 a notary public commission in another state;

23 (9) failure of the notary public to maintain an assurance as provided
24 in section 22(d), and amendments thereto;

25 (10) denial, revocation or suspension of a professional license, if such
26 denial, revocation or suspension was for fraud, dishonesty, deceit or any
27 cause substantially relating to the duties or responsibilities of a notary
28 public;

29 (11) cessation of United States citizenship;

30 (12) incapacitation to such a degree that the person is incapable of
31 reading or writing the English language;

32 (13) violation of section 25(b), (c) or (d), and amendments thereto; or

33 (14) violation of section 25(a), (e), (f), (g) or (h), and amendments
34 thereto.

35 (b) An individual whose commission as a notary public has been
36 revoked for a reason described in subsections (a)(1) through (a)(13) may
37 not apply for a new commission until the expiration of four years from the
38 date of such revocation. An individual whose commission as a notary
39 public has been revoked for the reason described in subsection (a)(14) may
40 not apply for or receive a new commission for such individual's lifetime.

41 (c) The authority of the secretary of state to deny, refuse to renew,
42 suspend, revoke or impose conditions on a commission as a notary public
43 does not prevent a person from seeking and obtaining other criminal or

1 civil remedies provided by law.

2 (d) This section shall take effect on and after January 1, 2022.

3 New Sec. 25. (a) A commission as a notary public does not authorize
4 an individual to:

5 (1) Assist persons in drafting legal records, give legal advice or
6 otherwise practice law;

7 (2) act as an immigration consultant or an expert on immigration
8 matters;

9 (3) represent a person in a judicial or administrative proceeding
10 relating to immigration to the United States, United States citizenship or
11 related matters; or

12 (4) receive compensation for performing any of the activities listed in
13 this subsection.

14 (b) A notary public may not perform a notarial act with respect to a
15 record to which the officer or the officer's spouse is a party or in which
16 either of them has a direct financial or beneficial interest. A notarial act
17 performed in violation of this subsection is voidable.

18 (c) For purposes of subsection (b), a notarial officer has a direct
19 financial or beneficial interest in a transaction if the notarial officer:

20 (1) With respect to a financial transaction, is named in a record,
21 individually, as a principal to the transaction; or

22 (2) with respect to a real property transaction, is named in a record,
23 individually, as a grantor, grantee, mortgagor, mortgagee, trustor, trustee,
24 beneficiary, vendor, vendee, lessor or lessee to the transaction.

25 (d) For purposes of subsection (b), a notarial officer has no direct
26 financial or beneficial interest in a transaction when the notarial officer
27 acts in the capacity of an agent, employee, insurer, attorney, escrow agent
28 or lender for a person having a direct financial or beneficial interest in the
29 transaction.

30 (e) A notary public shall not engage in false or deceptive advertising.

31 (f) A notary public, other than an attorney licensed to practice law in
32 this state, may not use the term "notario" or "notario publico" or any
33 equivalent non-English term in any business card, advertisement, notice or
34 sign.

35 (g) A notary public, other than an attorney licensed to practice law in
36 this state, shall not advertise or represent that the notary public may assist
37 persons in drafting legal records, give legal advice or otherwise practice
38 law. If a notary public who is not an attorney licensed to practice law in
39 this state in any manner advertises or represents that the notary public
40 offers notarial services, whether orally or in a record, including broadcast
41 media, print media, and the internet, the notary public shall include the
42 following statement, or an alternate statement authorized or required by
43 the secretary of state, in the advertisement or representation, prominently

1 and in each language used in the advertisement or representation and in
2 each language in which notarial services are offered: "I am not an attorney
3 licensed to practice law in this state. I am not allowed to draft legal
4 records, give advice on legal matters, including immigration, or charge a
5 fee for those activities." If the form of advertisement or representation is
6 not broadcast media, print media or the internet and does not permit
7 inclusion of the statement required by this subsection because of size, it
8 shall be displayed prominently or provided at the place of performance of
9 the notarial act before the notarial act is performed.

10 (h) Except as otherwise allowed by law, a notary public shall not
11 withhold access to or possession of an original record provided by a
12 person that seeks performance of a notarial act by the notary public.

13 (i) Violation of subsections (f) or (g) is a class B nonperson
14 misdemeanor.

15 (j) Violation of subsections (e), (f) or (g) constitutes a deceptive act or
16 practice pursuant to K.S.A. 50-626, and amendments thereto, and shall be
17 subject to the remedies and penalties provided by the Kansas consumer
18 protection act.

19 (k) This section shall take effect on and after January 1, 2022.

20 New Sec. 26. (a) Except as otherwise provided in section ~~4(b)~~ **25(b)**,
21 and amendments thereto, the failure of a notarial officer to perform a duty or
22 meet a requirement specified in this act does not invalidate a notarial act
23 performed by the notarial officer. The validity of a notarial act under this
24 act does not prevent an aggrieved person from seeking to invalidate the
25 record or transaction that is the subject of the notarial act or from seeking
26 other remedies based on state or federal law. This section does not validate
27 a purported notarial act performed by an individual who does not have the
28 authority to perform notarial acts.

29 (b) This section shall take effect on and after January 1, 2022.

30 New Sec. 27. (a) The secretary of state shall adopt rules and
31 regulations to implement this act. Rules and regulations adopted regarding
32 the performance of notarial acts with respect to electronic records shall not
33 require, or accord greater legal status or effect to, the implementation or
34 application of a specific technology or technical specification. The rules
35 and regulations may include, but are not limited to:

36 (1) Prescribing the manner of performing notarial acts regarding
37 tangible and electronic records;

38 (2) including provisions to ensure that any change to or tampering
39 with a record bearing a certificate of a notarial act is self-evident;

40 (3) including provisions to ensure integrity in the creation,
41 transmittal, storage or authentication of electronic records or signatures;

42 (4) prescribing the process of granting, renewing, conditioning,
43 denying, suspending or revoking a notary public commission and assuring

1 the trustworthiness of an individual holding a commission as notary
2 public;

3 (5) including provisions to prevent fraud or mistake in the
4 performance of notarial acts;

5 (6) establishing the process for approving and accepting surety bonds
6 and other forms of assurance pursuant to section 22(d), and amendments
7 thereto; and

8 (7) providing for the administration of the examination and the course
9 of study required by section 23, and amendments thereto.

10 (b) The secretary of state shall adopt rules and regulations regarding
11 notarial acts using communication technology for a remotely located
12 individual including, but not limited to:

13 (1) Prescribing the means of performing a notarial act involving a
14 remotely located individual using communication technology;

15 (2) establishing standards for communication technology and identity
16 proofing;

17 (3) establishing requirements or procedures to approve providers of
18 communication technology and the process of identity proofing; and

19 (4) establishing standards and a period for the retention of an audio-
20 visual recording created pursuant to section 15, and amendments thereto.

21 (c) In adopting rules and regulations about notarial acts with respect
22 to electronic records, the secretary of state shall consider, so far as is
23 consistent with this act:

24 (1) The most recent standards regarding electronic records
25 promulgated by national bodies, such as the national association of
26 secretaries of state; and

27 (2) standards, practices and customs of other jurisdictions that
28 substantially enact this act.

29 New Sec. 28. (a) A commission or appointment as a notary public in
30 effect on January 1, 2022, continues until its date of expiration. A notary
31 public who applies to renew a commission as a notary public on or after
32 January 1, 2022, is subject to and shall comply with this act. A notary
33 public, in performing notarial acts after January 1, 2022, shall comply with
34 this act.

35 (b) This section shall take effect on and after January 1, 2022.

36 New Sec. 29. (a) This act does not affect the validity or effect of a
37 notarial act performed before January 1, 2022.

38 (b) A cause of action that has accrued against a notary public or the
39 notary public's securities before January 1, 2022, are governed by any
40 statute or other rule amended or repealed by this act as if amendment or
41 repeal had not occurred.

42 (c) This section shall take effect on and after January 1, 2022.

43 New Sec. 30. (a) In applying and construing this uniform act,

1 consideration shall be given to the need to promote uniformity of the law
2 with respect to its subject matter among states that enact it.

3 (b) This section shall take effect on and after January 1, 2022.

4 New Sec. 31. (a) This act modifies, limits and supersedes the federal
5 electronic signatures in global and national commerce act, 15 U.S.C. §
6 7001 et seq., except that nothing in this act modifies, limits or supersedes §
7 7001(c) of that act or authorizes electronic delivery of any of the notices
8 described in § 7003(b) of that act.

9 (b) This section shall take effect on and after January 1, 2022.

10 *New Sec. 32. All notarial acts performed by a notary public of this*
11 *state while the requirements that a person must appear before a notary*
12 *public are suspended pursuant to an executive order or other state law*
13 *shall be valid as if the individual had appeared before the notary public,*
14 *notwithstanding any failure of any individual to appear personally*
15 *before the notary public, if the notarial act meets all requirements*
16 *prescribed by such executive order or other state law and all*
17 *requirements prescribed by law that do not relate to appearance before*
18 *the notary public.*

19 ~~Sec. 32.~~ 33. On and after January 1, 2022, K.S.A. 16-1611 is hereby
20 amended to read as follows: 16-1611. ~~(a)~~ If a law requires a signature or
21 record to be notarized, acknowledged, verified or made under oath, the
22 requirement is satisfied if the electronic signature of the person authorized
23 to perform those acts, together with all other information required to be
24 included by other applicable law, is attached to or logically associated with
25 the signature or record.

26 ~~(b) The secretary of state is hereby authorized to promulgate rules~~
27 ~~and regulations establishing procedures for an electronic notarization.~~

28 ~~Sec. 33.~~ 34. On and after January 1, 2022, K.S.A. 2019 Supp. 25-
29 3602 is hereby amended to read as follows: 25-3602. (a) Each petition
30 shall consist of one or more documents pertaining to a single issue or
31 proposition under one distinctive title. The documents shall be filed
32 with the county election officer or other official, if another official is
33 designated in the applicable statutes. The filing shall be made at one
34 time all in one group. Later or successive filings of documents relating
35 to the same issue or proposition shall be deemed to be separate
36 petitions and not a part of any earlier or later filing.

37 (b) Unless otherwise specifically required, each petition shall:

38 (1) State the question which petitioners seek to bring to an
39 election in the form of a question as it should appear upon the ballot in
40 accordance with the requirements of K.S.A. 25-620 and ~~K.S.A. 25-~~
41 ~~3601~~, and amendments thereto;

42 (2) name the taxing subdivision or other political subdivision in
43 which an election is sought to be held;

1 shall be based on the most recent number of registered voters as
2 certified to the office of the secretary of state pursuant to subsection ~~(g)~~
3 of K.S.A. 25-2311(g), and amendments thereto.

4 ~~Sec. 34.~~ 35. On and after January 1, 2022, K.S.A. 2019 Supp. 25-
5 3902 is hereby amended to read as follows: 25-3902. (a) Except as
6 provided in K.S.A. 25-312a, and amendments thereto, when a district
7 convention is provided by law to be held to elect a person to be
8 appointed to fill a vacancy in a district office, the county chairperson
9 designated in subsection (b) or (c), within 21 days of receipt of notice
10 that a vacancy has occurred or will occur, shall call and convene a
11 convention of all committeemen and committeewomen of the party of
12 the precincts in such district for the purpose of electing a person to be
13 appointed by the governor to fill the vacancy. If such county
14 chairperson is absent or for any reason is unable to call, or refuses to
15 call such convention, then the county vice-chairperson shall call the
16 convention and perform the other duties under this section required of
17 such chairperson.

18 (b) If the district lies within a single county, the county
19 chairperson of such county shall call the convention by mailing a
20 notice, at least seven days before the date of the convention, to each
21 precinct committeeman and committeewoman who is entitled to vote
22 at the convention pursuant to subsection (e).

23 (c) If all or part of more than one county lies within the district,
24 the county chairperson of the county in which the greatest number of
25 qualified voters of the district reside shall call the convention by
26 mailing a notice of the convention to each county chairperson of the
27 party in each such county at least 10 days before the date of the
28 convention. Such convention shall be held at a location within the
29 district selected by the chairperson calling the convention. Such
30 county chairperson, within three days after receipt of such notice,
31 shall mail notice of the convention to the committeemen and
32 committeewomen in their counties who are entitled to vote at the
33 convention pursuant to subsection (e).

34 (d) The notice of such convention shall state:

35 (1) The place where the convention is to be held;

36 (2) the time when the convention will convene; and

37 (3) the purpose for which the convention is to be held.

38 (e) At the time and place fixed for holding the convention, the
39 county chairperson who called the convention shall act as temporary
40 chairperson and shall call the convention to order. One-third of the
41 eligible members of the convention shall constitute a quorum for such
42 election. In the event a quorum is not present at the time and place
43 that such convention is called, the members present shall adjourn the

1 convention to a day and time certain, which shall be not later than 14
2 days after such adjournment of such convention, and provide for
3 notification of the time and place of such adjourned convention to be
4 given to the eligible members not present. The convention shall
5 organize by electing a permanent chairperson and such other officers
6 as necessary. After the convention is organized, it shall elect a person
7 to be appointed by the governor to fill the vacancy. Such election shall
8 be by secret ballot and the person elected shall be the one who receives
9 the majority of all the votes cast. If no person receives a majority of all
10 votes cast on any ballot, the balloting shall continue until some person
11 receives a majority of all the votes cast. Each committeeman and
12 committeewoman of the party of the precincts in such district shall be
13 entitled to vote. Except as provided in subsection (f), no precinct
14 committeeman or committeewoman shall be represented or shall vote
15 by proxy. The convention may adopt such rules necessary to govern its
16 procedure in making nominations, voting, counting, and canvassing
17 votes and for the conduct of any business which may properly be
18 brought before the convention, but such rules shall not be in conflict
19 with the provisions of this section.

20 (f) (1) A precinct committeeman or committeewoman may vote by
21 proxy at a convention called pursuant to this section whenever such
22 precinct committeeman or committeewoman is unable to attend the
23 convention and cast such precinct committeeman's or
24 committeewoman's ballot.

25 (2) A precinct committeeman or committeewoman may designate
26 another precinct committeeman or committeewoman to cast such
27 precinct committeeman's or precinct committeewoman's ballot at such
28 convention by proxy. Any proxy authorized by this subsection shall:

29 (A) Designate the precinct committeeman or committeewoman
30 who shall cast the precinct committeeman's or precinct
31 committeewoman's vote by proxy;

32 (B) be signed by the precinct committeeman or precinct
33 committeewoman authorizing the proxy; and

34 (C) contain an acknowledgment of such precinct committeeman's
35 or precinct committeewoman's signature which complies with ~~K.S.A.~~
36 ~~53-509~~ *section 17*, and amendments thereto.

37 (g) After a person has been elected to be appointed to fill a
38 vacancy in a district office, the chairperson or vice-chairperson of the
39 convention shall execute a certificate, under oath, stating that such
40 person has been duly elected to be appointed to fill such vacancy and
41 shall transmit such certificate either by hand delivery by a person
42 designated by such chairperson or vice-chairperson or by registered
43 mail, return receipt requested, to the governor and a copy thereof to

1 the secretary of state. If transmitted by registered mail, such
2 certificate and the copy thereof shall be mailed within 24 hours of such
3 election, unless the day following such election is a Sunday or legal
4 holiday, in which case it shall be mailed by the next regular business
5 day. Thereupon, and not later than seven days after such certificate is
6 received in the office of the governor, the governor, or in the
7 governor's absence the lieutenant governor, shall fill such vacancy by
8 appointing to such district office the person so elected. In the event the
9 governor or lieutenant governor fails to appoint any person as
10 required by this subsection after receiving a lawfully executed
11 certificate hereunder, such person shall be deemed to have been so
12 appointed notwithstanding such failure. The person so appointed may
13 qualify and enter upon the duties of the district office immediately
14 after appointment.

15 ~~Sec. 35.~~ 36. On and after January 1, 2022, K.S.A. 2019 Supp. 25-
16 3902a is hereby amended to read as follows: 25-3902a. (a) When a
17 vacancy occurs in the office of member of the state board of education,
18 the county chairperson designated in subsection (b), (c) or (d), within
19 21 days of receipt of notice that a vacancy has occurred or will occur
20 shall call and convene a district convention for the purpose of electing
21 a person to be appointed by the governor to fill the vacancy. Such
22 person shall be an elector of the same political party as that of the
23 board member vacating such position and shall reside in the board
24 member district corresponding to such board member position. If
25 such county chairperson is absent or for any reason is unable to call or
26 refuses to call such convention, then the county vice-chairperson shall
27 call the convention and perform the other duties required of such
28 chairperson under this section.

29 (b) If the board member district lies within a single county, the
30 county chairperson of such county shall call a convention of all
31 precinct committeemen and committeewomen of the party of the
32 precincts in such district in the manner provided by ~~subsections (b) and~~
33 ~~(d)~~ of K.S.A. 25-3902(b) and (d), and amendments thereto, and such
34 convention shall be conducted as provided in subsection (e).

35 (c) If all or part of more than one and less than five counties lie
36 within the board member district, the county chairperson of the
37 county in which the greatest number of qualified voters of the district
38 reside shall call a convention of all precinct committeemen and
39 committeewomen of the party of the precincts in such district in the
40 manner provided by ~~subsections (c) and (d)~~ of K.S.A. 25-3902(c) and
41 (d), and amendments thereto, and such convention shall be conducted
42 as provided in subsection (e). Such convention shall be held at a
43 location within the district selected by the chairperson calling the

1 convention.

2 (d) If all or part of five or more counties lie within the board
3 member district, the county chairperson of the county in which the
4 greatest number of qualified voters of the district reside shall call a
5 convention of all county chairpersons and vice-chairpersons of the
6 party of the counties in such district. Such convention shall be held at
7 a location within the district selected by the chairperson calling the
8 convention. Such county chairperson shall call the convention by
9 mailing a notice to each such county chairperson and vice-
10 chairperson, at least seven days before the date of the convention.
11 Such notice shall state: (1) The place where the convention is to be
12 held; (2) the time when the convention will convene; and (3) the
13 purpose for which the convention is to be held, and such convention
14 shall be conducted as provided in subsection (e).

15 (e) At the time and place fixed for holding the convention, the
16 county chairperson who called the convention shall act as temporary
17 chairperson and shall call the convention to order. One-third of the
18 eligible members of the convention shall constitute a quorum for such
19 election. In the event a quorum is not present at the time and place
20 that such convention is called, the members present shall adjourn the
21 convention to a day and time certain, which shall be not later than 14
22 days after adjournment of such convention, and provide for
23 notification of the time and place of such adjourned convention to be
24 given to the eligible members not present. The convention shall
25 proceed to organize by electing a permanent chairperson and such
26 other officers as necessary. After the convention is organized, it shall
27 proceed to elect a person to be appointed by the governor to fill the
28 vacancy. Such election shall be by secret ballot and the person elected
29 shall be the one who shall receive the majority of all the votes cast. If
30 no person receives a majority of all votes cast on any ballot, the
31 balloting shall continue until some person receives a majority of all the
32 votes cast. Each county chairperson and vice-chairperson of the party
33 of the counties in such district shall be entitled to vote. Except as
34 provided in subsection (f), no county chairperson or vice-chairperson
35 shall be represented or shall vote by proxy. The convention may adopt
36 such rules as necessary to govern its procedure in making
37 nominations, voting, counting and canvassing votes and for the
38 conduct of any business which may properly be brought before the
39 convention, but such rules shall not be in conflict with the provisions
40 of this section.

41 (f) (1) A precinct committeeman or committeewoman who serves
42 as county chairperson or vice-chairperson may vote by proxy at a
43 convention called pursuant to this section whenever such precinct

1 **committeeman or committeewoman is unable to attend the convention**
2 **and cast such precinct committeeman's or committeewoman's ballot.**

3 **(2) A precinct committeeman or committeewoman may designate**
4 **another precinct committeeman or committeewoman to cast such**
5 **precinct committeeman's or precinct committeewoman's ballot at such**
6 **convention by proxy. Any proxy authorized by this subsection shall:**

7 **(A) Designate the precinct committeeman or committeewoman**
8 **who shall cast the precinct committeeman's or precinct**
9 **committeewoman's vote by proxy;**

10 **(B) be signed by the precinct committeeman or precinct**
11 **committeewoman authorizing the proxy; and**

12 **(C) contain an acknowledgment of such precinct committeeman's**
13 **or precinct committeewoman's signature which complies with ~~K.S.A.~~**
14 **~~53-509~~ section 17, and amendments thereto.**

15 **(g) After a person has been elected to be appointed to fill a**
16 **vacancy in the office of member of the state board of education, the**
17 **chairperson or vice-chairperson of the convention shall execute a**
18 **certificate, under oath, stating that such person has been duly elected**
19 **to be appointed to fill such vacancy and shall transmit such certificate**
20 **to the governor. Thereupon, and not later than seven days after such**
21 **certificate is received in the office of the governor, the governor, or in**
22 **the governor's absence the lieutenant governor, shall fill such vacancy**
23 **by appointing to the office of member of the state board of education**
24 **the person so elected. In the event the governor or lieutenant governor**
25 **fails to appoint any person as required by this subsection after**
26 **receiving a lawfully executed certificate hereunder, such person shall**
27 **be deemed to have been so appointed notwithstanding such failure.**
28 **The person so appointed may qualify and enter upon the duties of**
29 **office immediately after appointment.**

30 **(h) A person shall be elected to be appointed to fill a vacancy in**
31 **the office of member of the state board of education within 35 days**
32 **after such vacancy occurs. If no person is so elected within the 35-day**
33 **period, the governor shall fill such vacancy by appointment of an**
34 **elector of the same political party as that of the board member**
35 **vacating such position and who resides in the board member district**
36 **corresponding to such board member position. The person so**
37 **appointed may qualify and enter upon the duties of office immediately**
38 **after appointment.**

39 **Sec. ~~36~~ 37. On and after January 1, 2022, K.S.A. 2019 Supp. 25-**
40 **3904 is hereby amended to read as follows: 25-3904. (a) When a**
41 **district convention is provided by law to be held to elect a person to fill**
42 **a vacancy in a party candidacy for a district office, the county**
43 **chairperson designated in subsection (b) or (c), within 14 days of the**

1 receipt of the notice that the vacancy has occurred or will occur shall
2 call and convene a convention of all committeemen and
3 committeewomen of the political party from the precincts in such
4 district. If such county chairperson is absent or for any reason is
5 unable to call, or refuses to call such convention, then the
6 corresponding county vice-chairperson shall call the convention and
7 perform the other duties under this section required of such
8 chairperson.

9 (b) If the district lies within a single county, the county
10 chairperson of such county shall call the convention by mailing a
11 notice at least seven days before the date of the convention to the
12 committeemen and committeewomen in such county who are entitled
13 to vote at such convention pursuant to subsection (e).

14 (c) If all or part of more than one county lies within the district,
15 the county chairperson of the county in which the greatest number of
16 qualified voters of the district reside shall call the convention by
17 mailing a notice of such convention to each county chairperson of the
18 party in each such county, at least 10 days before the date of the
19 convention. Such convention shall be held at a location within the
20 district selected by the chairperson calling the convention. Such
21 county chairpersons shall, within three days after receipt of such
22 notice, mail notice of such convention to the committeemen and
23 committeewomen in their counties who are entitled to vote at such
24 convention pursuant to subsection (e).

25 (d) The notice of such convention shall state: (1) The place where
26 the convention is to be held; (2) the time when the convention will
27 convene; and (3) the purpose for which the convention is to be held.

28 (e) At the time and place fixed for holding the convention, the
29 county chairperson who called the convention shall act as temporary
30 chairperson and shall call the convention to order. One-third of the
31 eligible members of the convention shall constitute a quorum for such
32 election. In the event a quorum is not present at the time and place
33 that such convention is called, the members present shall adjourn the
34 convention to a day and time certain, which shall not be later than six
35 days after such adjournment of such convention, and provide for
36 notification of the time and place of such adjourned convention to be
37 given to the eligible members not present. The convention shall
38 organize by electing a permanent chairperson and such other officers
39 as necessary. After the convention is organized, it shall elect a person
40 to fill such vacancy in the party candidacy. Such election shall be by
41 secret ballot and the person elected shall be the one who receives the
42 majority of all the votes cast. If no person receives a majority of all
43 votes cast on any ballot, the balloting shall continue until some person

1 receives a majority of all the votes cast. Each committeeman and
2 committeewoman of the party of the precincts in such district shall be
3 entitled to vote. Except as provided in subsection (f), no precinct
4 committeeman or committeewoman shall be represented or shall vote
5 by proxy. The convention may adopt rules as necessary to govern its
6 procedure in making nominations, voting, counting and canvassing
7 votes and for the conduct of any business which may properly be
8 brought before the convention, but such rules shall not be in conflict
9 with the provisions of this section.

10 (f) (1) A precinct committeeman or committeewoman may vote by
11 proxy at a convention called pursuant to this section whenever such
12 precinct committeeman or committeewoman is unable to attend the
13 convention and cast such precinct committeeman's or
14 committeewoman's ballot.

15 (2) A precinct committeeman or committeewoman may designate
16 another precinct committeeman or committeewoman to cast such
17 precinct committeeman's or precinct committeewoman's ballot at such
18 convention by proxy. Any proxy authorized by this subsection shall:

19 (A) Designate the precinct committeeman or committeewoman
20 who shall cast the precinct committeeman's or precinct
21 committeewoman's vote by proxy;

22 (B) be signed by the precinct committeeman or precinct
23 committeewoman authorizing the proxy; and

24 (C) contain an acknowledgment of such precinct committeeman's
25 or precinct committeewoman's signature which complies with ~~K.S.A.~~
26 ~~53-509~~ *section 17*, and amendments thereto.

27 (g) After a person has been elected to fill a vacancy in a party
28 candidacy for a district office, the chairperson or vice-chairperson of
29 the convention shall execute a certificate, under oath, stating that such
30 person has been duly elected to fill such vacancy and that such person
31 has agreed to accept the nomination. The person elected to fill such
32 vacancy shall execute a notarized written statement stating that such
33 person agrees to accept the nomination. The chairperson or vice-
34 chairperson shall transmit such certificate to the secretary of state or
35 appropriate county election officer, as the case may be, within 21 days
36 of receipt of the notice that the vacancy has occurred or will occur.

37 (h) For the purposes of this section, the word "shall" imposes a
38 mandatory duty and no court may construe that word in any other
39 way.

40 Sec. ~~37~~ 38. On and after January 1, 2022, K.S.A. 2019 Supp. 25-
41 3904a is hereby amended to read as follows: 25-3904a. (a) When a
42 vacancy occurs in a party candidacy for the office of member of the
43 state board of education, the county chairperson designated in

1 subsection (b), (c) or (d), within 10 days of receipt of notice that the
2 vacancy has occurred or will occur, shall call and convene a district
3 convention for the purpose of electing a person to fill such vacancy. If
4 such county chairperson is absent or for any reason is unable to call or
5 refuses to call such convention, then the county vice-chairperson shall
6 call the convention and perform the other duties required of such
7 chairperson under this section.

8 (b) If the board member district lies within a single county, the
9 county chairperson of such county shall call a convention of all
10 precinct committeemen and committeewomen of the party of the
11 precincts in such district in the manner provided by K.S.A. 25-3904(b)
12 and (d), and amendments thereto, and such convention shall be
13 conducted in the manner provided in K.S.A. 25-3904(e), and
14 amendments thereto.

15 (c) If all or part of more than one and less than five counties lie
16 within the board member district, the county chairperson of the
17 county in which the greatest number of qualified voters of the district
18 reside shall call a convention of all precinct committeemen and
19 committeewomen of the party of the precincts in such district in the
20 manner provided by K.S.A. 25-3904(c) and (d), and amendments
21 thereto, and such convention shall be conducted as provided in K.S.A.
22 25-3904(e), and amendments thereto. Such convention shall be held at
23 a location within the district selected by the chairperson calling the
24 convention.

25 (d) If all or part of five or more counties lie within the board
26 member district, the county chairperson of the county in which the
27 greatest number of qualified voters of the district reside shall call a
28 convention of all county chairpersons and vice-chairpersons of the
29 party of the counties in such district. Such convention shall be held at
30 a location within the district selected by the chairperson calling the
31 convention. Such county chairperson shall call the convention by
32 mailing a notice to each such county chairperson and vice-chairperson
33 at least seven days before the date of the convention. Such notice shall
34 state: (1) The place where the convention is to be held; (2) the time
35 when the convention will convene; and (3) the purpose for which the
36 convention is to be held.

37 (e) At the time and place fixed for holding the convention, the
38 county chairperson who called the convention shall act as temporary
39 chairperson and shall call the convention to order. One-third of the
40 eligible members of the convention shall constitute a quorum for such
41 election. In the event a quorum is not present at the time and place
42 that such convention is called, the members present shall adjourn the
43 convention to a day and time certain, which shall be not later than

1 three days after such adjournment of such convention and provide for
2 notification of the time and place of such adjourned convention to be
3 given to the eligible members not present. The convention shall
4 proceed to organize by electing a permanent chairperson and such
5 other officers as necessary. After the convention is organized, it shall
6 proceed to elect a person to fill the vacancy in the party candidacy.
7 Such election shall be by secret ballot and the person elected shall be
8 the one who shall receive the majority of all the votes cast. If no
9 person receives a majority of all votes cast on any ballot, the balloting
10 shall continue until some person receives a majority of all the votes
11 cast. Each county chairperson and vice-chairperson of the party of the
12 counties in such district shall be entitled to vote. Except as provided in
13 subsection (f), no county chairperson or vice-chairperson shall be
14 represented or shall vote by proxy. The convention may adopt rules
15 necessary to govern its procedure in making nominations, voting,
16 counting and canvassing votes and for the conduct of any business
17 which may properly be brought before the convention, but such rules
18 shall not be in conflict with the provisions of this section.

19 (f) (1) A precinct committeeman or committeewoman who serves
20 as county chairperson or vice-chairperson may vote by proxy at a
21 convention called pursuant to this section whenever such precinct
22 committeeman or committeewoman is unable to attend the convention
23 and cast such precinct committeeman's or committeewoman's ballot.

24 (2) A precinct committeeman or committeewoman may designate
25 another precinct committeeman or committeewoman to cast such
26 precinct committeeman's or precinct committeewoman's ballot at such
27 convention by proxy. Any proxy authorized by this subsection shall:

28 (A) Designate the precinct committeeman or committeewoman
29 who shall cast the precinct committeeman's or precinct
30 committeewoman's vote by proxy;

31 (B) be signed by the precinct committeeman or precinct
32 committeewoman authorizing the proxy; and

33 (C) contain an acknowledgment of such precinct committeeman's
34 or precinct committeewoman's signature which complies with ~~K.S.A.~~
35 ~~53-509~~ *section 17*, and amendments thereto.

36 (g) After a person has been elected to fill a vacancy in a party
37 candidacy for the office of member of the state board of education, the
38 chairperson or vice-chairperson of the convention shall execute a
39 certificate, under oath, stating that such person has been duly elected
40 to fill such vacancy and that such person has agreed to accept the
41 nomination. The person elected to fill such vacancy shall execute a
42 notarized written statement stating that such person agrees to accept
43 the nomination. The chairperson or vice-chairperson shall transmit

1 **such certificate to the secretary of state, within 14 days of receipt of**
2 **the notice that the vacancy has occurred or will occur.**

3 **(h) For the purposes of this section, the word "shall" imposes a**
4 **mandatory duty and no court may construe that word in any other**
5 **way.**

6 ~~Sec. 33-38.~~ **39.** On and after January 1, 2022, K.S.A. 2019 Supp. 49-
7 512 is hereby amended to read as follows: 49-512. (a) A state public trust
8 shall be created to administer relocation assistance pursuant to this act and
9 to acquire, hold and dispose of property as specified in this act.

10 (b) The trust shall have five trustees appointed by the governor,
11 subject to confirmation by the senate as provided by K.S.A. 75-4315b, and
12 amendments thereto. Except as provided by K.S.A. 46-2601, and
13 amendments thereto, no person appointed as trustee shall exercise any
14 power, duty or function as a trustee until confirmed by the senate. The
15 terms of trustees first appointed shall be as follows: One trustee shall serve
16 for a term expiring the first March 15 following appointment, one for a
17 term expiring the second March 15 following appointment, one for a term
18 expiring the third March 15 following appointment and two for terms
19 expiring the fourth March 15 following appointment. Thereafter, trustees
20 shall be appointed for terms of four years and until their successors are
21 appointed and confirmed. Whenever a vacancy on the trust occurs, the
22 governor shall fill the vacancy by appointment and the appointee shall
23 hold office for the unexpired term. Each trustee shall hold office until a
24 successor has been appointed and confirmed. A trustee may be removed
25 only for cause.

26 (c) The trustees, who shall be deemed public officers, shall be paid
27 amounts from funds of the trust for per diem compensation as provided in
28 K.S.A. 75-3212, and amendments thereto, for members of the legislature,
29 for each day of actual attendance at any meeting of the trust.

30 (d) Every person becoming a trustee first shall take the oath of office
31 required of a state elected official. The oath of office shall be administered
32 by a person authorized to administer oaths in the state of Kansas and shall
33 be filed with the secretary of state.

34 (e) Every officer and employee who handles funds of the trust shall
35 furnish bond or other good and sufficient security in an amount and upon
36 such terms as established by the state committee on surety bonds and
37 insurance pursuant to K.S.A. 75-4101 et seq., and amendments thereto, but
38 in no event shall any bond or other security be required of a trustee. The
39 cost of the bond shall be paid from funds of the trust.

40 (f) The trustees shall adopt bylaws for the administration and
41 regulation of the affairs of the trust. All such bylaws shall be submitted in
42 writing to the governor and must be approved by the governor before
43 taking effect.

1 (g) The trustees shall cause an audit to be made of the financial
2 statements of the trust within 30 days after the close of each fiscal year of
3 the trust. The expense of the audit shall be paid from funds of the trust.
4 The trust annually shall file with the governor and the legislature copies of
5 financial documents and reports sufficient to demonstrate the fiscal
6 activity of the trust, including, but not limited to, budgets, financial reports
7 and audits. Amendments to the adopted budget shall be approved by the
8 trustees of the trust and recorded as such in the official minutes of the
9 trust.

10 (h) Meetings of the trustees shall be subject to the open meetings law.
11 Records of the trust and minutes of meetings of the trust shall be written
12 and kept in a place, the location of which shall be recorded in the office of
13 the secretary of state, and shall be subject to the Kansas open records act.
14 The trust shall file a monthly report of all expenditures with the governor,
15 the speaker of the house of representatives and the president of the senate.

16 (i) Any real or personal property may be acquired and held in the
17 name of the trust. When acquired, any conveyance, assignment or other
18 transfer shall be made in the name of the trust by the chairperson of the
19 trust, attested by the secretary of the trust, with the seal of the trust affixed
20 thereto.

21 (j) Any conveyance, assignment or other transfer of any estate in real
22 property, executed by a trust, must be acknowledged by the president or
23 chairperson of the trust subscribing the name of the trust thereto, which
24 acknowledgment shall be in substantially the form provided in the *revised*
25 uniform law on notarial acts. Any instrument of conveyance, assignment
26 or other transfer executed in the name of the trust pursuant to this act and
27 bearing a signature which purports to be the signature of the chairperson of
28 the trust, shall be deemed prima facie evidence that the conveyance,
29 assignment or other transfer is the act of the trust and the trustees thereof,
30 that it was duly executed and signed by the chairperson of the trust who
31 was a trustee of the trust and that the instrument conforms in all respects to
32 the requirements of law, and such conveyance, assignment or other
33 transfer shall be admissible in evidence without further proof of execution.

34 (k) The trust shall not engage in any activity or transaction that is not
35 expressly authorized by this act.

36 (l) No trustee shall be charged personally with any liability
37 whatsoever by reason of any act or omission in the performance of the
38 trust or in the operation of the trust property but any act, liability for any
39 omission or obligation of a trustee or trustees, in the execution of the trust,
40 or in the operation of the trust property, shall extend to the whole of the
41 trust, or so much thereof as may be necessary to discharge such liability or
42 obligation, and not otherwise.

43 (m) Moneys from grants made to the trust pursuant to this act shall be

1 used only for the purposes provided by this act, including payment of the
2 costs of the department of health and environment in implementing and
3 administering this act.

4 (n) On July 1, 2014, or on the date that all of the rights and title to all
5 real and personal property acquired by the trust have been conveyed,
6 assigned or otherwise transferred in the name of the trust pursuant to
7 K.S.A. 2019 Supp. 49-511 through 49-517, and amendments thereto, and
8 the instruments of conveyance, assignment or other transfer have been
9 finally executed, whichever date occurs first, the trust is hereby abolished
10 and the office of each member of the trust is hereby abolished.

11 **Sec. ~~39~~ 40. On and after January 1, 2022, K.S.A. 2019 Supp. 58-**
12 **652 is hereby amended to read as follows: 58-652. (a) The authority**
13 **granted by a principal to an attorney in fact in a written power of**
14 **attorney is not terminated in the event the principal becomes wholly**
15 **or partially disabled or in the event of later uncertainty as to whether**
16 **the principal is dead or alive if:**

17 (1) The power of attorney is denominated a "durable power of
18 attorney";

19 (2) the power of attorney includes a provision that states in
20 substance one of the following:

21 (A) "This is a durable power of attorney and the authority of my
22 attorney in fact shall not terminate if I become disabled or in the event
23 of later uncertainty as to whether I am dead or alive"; or

24 (B) "This is a durable power of attorney and the authority of my
25 attorney in fact, when effective, shall not terminate or be void or
26 voidable if I am or become disabled or in the event of later uncertainty
27 as to whether I am dead or alive"; and

28 (3) the power of attorney is signed by the principal, and dated
29 and acknowledged in the manner prescribed by ~~K.S.A. 53-501 et seq.,~~
30 ~~and amendments thereto~~ *the revised uniform law on notarial acts*. If the
31 principal is physically unable to sign the power of attorney but
32 otherwise competent and conscious, the power of attorney may be
33 signed by an adult designee of the principal in the presence of the
34 principal and at the specific direction of the principal expressed in the
35 presence of a notary public. The designee shall sign the principal's
36 name to the power of attorney in the presence of a notary public,
37 following which the document shall be acknowledged in the manner
38 prescribed by ~~K.S.A. 53-501 et seq., and amendments thereto~~ *the revised*
39 *uniform law on notarial acts*, to the same extent and effect as if
40 physically signed by the principal.

41 (b) All acts done by an attorney in fact pursuant to a durable
42 power of attorney shall inure to the benefit of and bind the principal
43 and the principal's successors in interest, notwithstanding any

1 disability of the principal.

2 (c) (1) A power of attorney does not have to be recorded to be
3 valid and binding between the principal and attorney in fact or
4 between the principal and third persons.

5 (2) A power of attorney may be recorded in the same manner as a
6 conveyance of land is recorded. A certified copy of a recorded power
7 of attorney may be admitted into evidence.

8 (3) If a power of attorney is recorded any revocation of that
9 power of attorney must be recorded in the same manner for the
10 revocation to be effective. If a power of attorney is not recorded it may
11 be revoked by a recorded revocation or in any other appropriate
12 manner.

13 (4) If a power of attorney requires notice of revocation be given to
14 named persons, those persons may continue to rely on the authority
15 set forth in the power of attorney until such notice is received.

16 (d) A person who is appointed an attorney in fact under a durable
17 power of attorney has no duty to exercise the authority conferred in
18 the power of attorney, unless the attorney in fact has agreed expressly
19 in writing to act for the principal in such circumstances. An agreement
20 to act on behalf of the principal is enforceable against the attorney in
21 fact as a fiduciary without regard to whether there is any
22 consideration to support a contractual obligation to do so. Acting for
23 the principal in one or more transactions does not obligate an attorney
24 in fact to act for the principal in subsequent transactions.

25 (e) The grant of power or authority conferred by a power of
26 attorney in which any principal shall vest any power or authority in
27 an attorney in fact, if such writing expressly so provides, shall be
28 effective only upon: (1) A specified future date; (2) the occurrence of a
29 specified future event; or (3) the existence of a specified condition
30 which may occur in the future. In the absence of actual knowledge to
31 the contrary, any person to whom such writing is presented shall be
32 entitled to rely on an affidavit, executed by the attorney in fact, setting
33 forth that such event has occurred or condition exists.

34 Sec. ~~34-40~~, 41. On and after January 1, 2022, K.S.A. 58-2209 is
35 hereby amended to read as follows: 58-2209. All deeds or other
36 conveyances of lands, or of any estate or interest therein, shall be
37 subscribed by the party granting the same, or by the party's lawful agent or
38 attorney, and may be acknowledged or proved and certified in the manner
39 prescribed by the *revised* uniform law on notarial acts and K.S.A. 58-
40 2216, and amendments thereto.

41 Sec. ~~35-41~~, 42. On and after January 1, 2022, K.S.A. 58-2211 is
42 hereby amended to read as follows: 58-2211. All conveyances, and other
43 instruments affecting real estate must be acknowledged before a person

1 authorized by the *revised* uniform law on notarial acts to perform notarial
2 acts or, if acknowledged within this state, by a county clerk, register of
3 deeds or mayor or clerk of an incorporated city.

4 ~~Sec. 36-42.~~ **43.** On and after January 1, 2022, K.S.A. 2019 Supp. 58-
5 4403 is hereby amended to read as follows: 58-4403. ~~On and after July 1,~~
6 ~~2007-~~(a) If a law requires, as a condition for recording, that a document be
7 an original, be on paper or another tangible medium, or be in writing, the
8 requirement is satisfied by an electronic document satisfying this act.

9 (b) If a law requires, as a condition for recording, that a document be
10 signed, the requirement is satisfied by an electronic signature.

11 (c) *A requirement that a document or a signature associated with a*
12 *document be notarized, acknowledged, verified, witnessed or made under*
13 *oath is satisfied if the electronic signature of the person authorized to*
14 *perform that act, and all other information required to be included, is*
15 *attached to or logically associated with the document or signature. A*
16 *physical or electronic image of a stamp, impression or seal is not required*
17 *to accompany an electronic signature.*

18 ~~Sec. 37-43.~~ **44.** On and after January 1, 2022, K.S.A. 16-1611, 53-
19 101, 53-102, 53-103, 53-104, 53-105, 53-105a, 53-106, 53-107, 53-109,
20 53-113, 53-114, 53-115, 53-116, 53-117, 53-118, 53-119, 53-120, 53-121,
21 53-501, 53-502, 53-503, 53-504, 53-505, 53-506, 53-507, 53-508, 53-509,
22 53-510, 53-511, 58-2209 and 58-2211 and K.S.A. 2019 Supp. **25-3602,**
23 **25-3902, 25-3902a, 25-3904, 25-3904a,** 49-512, **58-652** and 58-4403 are
24 hereby repealed.

25 ~~Sec. 38-44.~~ **45.** This act shall take effect and be in force from and
26 after its publication in the statute book.