

HOUSE COMMITTEE AMENDMENTS

2018 Regular Session

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 358 by Senator Luneau

1 AMENDMENT NO. 1

2 On page 2, delete line 29 in its entirety and on page 3, delete lines 1 through 3 in their
3 entirety and insert the following:

4 **"(9)(a) "Online notarial act" means only the following notarial**
5 **acts authorized by R.S. 35:2, which are performed by means of two-way**
6 **video and audio conference technology utilizing communication**
7 **technology that meets the criteria approved by the secretary of state and**
8 **the standards adopted in this Chapter in order to accomplish all of the**
9 **following:**

10 **(i) To make conveyances, and generally, all contracts and**
11 **instruments of writing.**

12 **(ii) To receive acknowledgments of instruments under private**
13 **signature.**

14 **(iii) To make affidavits, including affidavits of correction.**

15 **(iv) To take oaths and acknowledgments.**

16 **(b) No other act authorized by R.S. 35:2(A) may be performed**
17 **by means of two-way video and audio conference technology."**

18 AMENDMENT NO. 2

19 On page 6, at the beginning of line 29, insert "**A.**"

20 AMENDMENT NO. 3

21 On page 7, line 1, after "**accordance**" and before "**and**" change "**herewith**" to "**this**
22 **Chapter**"

23 AMENDMENT NO. 4

24 On page 7, line 1, after "**of**" and before "**Civil**" delete "**Louisiana**"

25 AMENDMENT NO. 5

26 On page 7, line 2, after "**act**" insert a period "**.**" and delete the remainder of the line and
27 delete line 3 in its entirety and insert the following:

28 **"B. Notwithstanding the provisions of Subsection A of this**
29 **Section, an online notarial act shall not be considered an authentic act."**

30 AMENDMENT NO. 6

31 On page 7, between lines 3 and 4, insert the following:

32 **"§631. Recordation of electronic notarial acts and online notarial acts;**
33 **limitation**

34 **The clerks of court, the Orleans Parish register of conveyances or**
35 **its successor, and the Orleans Parish recorder of mortgages or its**
36 **successor, shall not be required to accept an electronic notarial act or**
37 **online notarial act for recording until it has implemented a plan for**
38 **recording electronic documents in accordance with Code of Civil**

1 **Procedure Article 258, unless the electronic or online notarial act is first**
2 **reduced to a physical copy and certified in accordance with R.S.**
3 **35:2(C).**"

4 AMENDMENT NO. 7

5 On page 7, at the end of line 4, change "August 1, 2019." to "December 31, 2020."