

1 WHEREAS, in order to address the requests of House Concurrent Resolution No.
2 218, the Electronic Signatures Study Group met on November 4, 2016, and delivered an
3 interim report to the Louisiana Legislature on January 27, 2017; and

4 WHEREAS, the interim report of the Louisiana State Law Institute Electronic
5 Signatures Study Group reported that the study group agreed that the enactment of an
6 electronic notary law in Louisiana is advisable, and the study group would continue to
7 research relevant issues in order to prepare recommendations to the Louisiana Legislature;
8 and

9 WHEREAS, audio and video conference technology has continued to develop and
10 is becoming more widely available and used by notaries public in other states to
11 electronically notarize documents when the signor is not in the presence of the notary,
12 becoming commonly known as "remote online notarization", and Louisiana law does not
13 currently recognize such remote online notarization; and

14 WHEREAS, with the evolution of technology and the increasing use of technology
15 to facilitate commerce and banking, a number of states now allow for electronic notarization
16 of electronic records, as distinguished from traditional pen and paper notarization; and

17 WHEREAS, a similar law in Louisiana would allow businesses to utilize current
18 technology in an effort to facilitate transactions and to efficiently and safely serve customers.

19 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
20 authorize and direct the Louisiana State Law Institute to prepare proposed legislation
21 providing for the enactment of an electronic notary law.

22 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby
23 authorize and direct the Louisiana State Law Institute to include representatives of the
24 secretary of state, clerks of court, Louisiana Notary Association, Louisiana Bankers
25 Association, Louisiana State Bar Association, Louisiana Association of Independent Land
26 Title Agents, and the Louisiana Land Title Association, to the extent not already included
27 in the study group.

28 BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall submit
29 proposed legislation to the Louisiana Legislature no later than February 1, 2019.

1 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
2 director of the Louisiana State Law Institute.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 31 Engrossed

2018 Regular Session

Garofalo

Directs the Louisiana State Law Institute to prepare proposed legislation providing for the enactment of an electronic notary law.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Add reference to "remote online notarization".