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 DIGEST

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SB 472 Reengrossed

2020 Regular Session

Luneau

Proposed law authorizes remote online notarization and recordation of certain electronic notarial instruments.

Proposed law creates the "Remote Online Notarization Act".

Proposed law provides definitions and procedures for remote online notarization.

Proposed law provides that a notary public, who holds a valid notarial commission in Louisiana, is authorized by the secretary of state to perform remote online notarization. Further provides for the notary's duties.

Proposed law provides a list of which instruments shall not be executed by remote online notarization.

Proposed law requires the secretary of state, by rule, to develop and maintain standards to implement proposed law.

The provisions of proposed law may not be varied by agreement.

Proposed law supplements present law concerning electronic transactions.

The provisions of proposed law shall have retroactive application beginning March 11, 2020.

Effective Feb. 1, 2022.

(Amends C.C. Art. 3344(A); Adds R.S. 9:2760 and R.S. 35:621-630)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Changes the name of the act from Electronic Notarial Acts to the Remote Online Notarization Act.
2. Adds specific standards and instructions for a commissioned notary public to perform remote online notarizations.
3. Adds a list of which instruments shall not be executed by remote online notarization.
4. Provides for retroactive application.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the re-reengrossed bill:

1. Provide for an effective date of Feb. 1, 2022.