



June 21, 2021

Secretary Nellie M. Gorbea
Rhode Island Secretary of State
82 Smith Street, State House, Room 218
Providence, RI 02903-1120

RE: Rhode Island House Bill 6254

Dear Secretary Gorbea,

Notarize Inc. (Notarize) would like to thank the Secretary of State's office, as well as the legislative sponsors, for the ongoing efforts to permanently authorize remote online notarization (RON) in the State of Rhode Island with the introduction of House Bill 6254, as emergency provisions come to an end.

We are additionally grateful for the openness to collaboration the Secretary of State's office and Rhode Island General Assembly have shown in regards to our suggested amendments to HB 6254. As the General Assembly nears the end of its session, Notarize would like to suggest an additional technical amendment to HB 6254 to ensure that Rhode Island adopts a RON law that will successfully expand this important digital resource to notaries throughout the state.

PROPOSED AMENDMENTS:

Notarize supports HB 6254 and we look forward to a continued partnership with the Secretary of State's office to assist in our shared goal of bringing RON services to all notary publics in Rhode Island, upon its passage.

In reviewing the most recent substitute for HB 6254, we became aware of a potential technical issue in the language. As currently drafted, §42-30.1-2 (17) states that a "remotely located individual" is an individual not in the presence of the notary public who performs a notarial act pursuant to §42-30.1-10. The cited statute pertains to the recognition of notarial acts performed in other states as valid in Rhode Island. We believe this is a technical error that can be fixed by changing the citation in §42-30.1-2 (17) to §42-30.1-12.1, which deals with RON performed by Rhode Island notaries. If this amendment were made, §42-30.1-2 (17) would read:

"Remotely located individual" means an individual who is not in the physical presence of the notary public who performs a notarial act pursuant to §42-30.1-12.1."

If left unchanged, HB 6254 may inadvertently cause confusion and delay the successful implementation of RON in Rhode Island. The definition as written could be interpreted to conflict with §42-30.1-12.1 and leave the issue of which notaries are permitted to perform RON for a citizen of Rhode Island up for debate. As §42-30.1-10 deals with interstate recognition and is not a part of this bill, the reference to that statute is most likely a simple mistake. Our proposed amendment would make clear that a "remotely located individual" is receiving a notarization from a notary authorized in Rhode Island under the new law.

We believe that by making this amendment, HB 6254 will achieve its intended purpose of permanently authorizing RON for all notary publics in the State of Rhode Island.

CONCLUSION:

We thank the Secretary of State's office and the Rhode Island General Assembly for demonstrating leadership by advancing RON in Rhode Island and we look forward to continuing to build upon our partnership with your office. If you should have any questions, please contact me at nicole.booth@notarize.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicole Booth", with a large, stylized flourish at the end.

Nicole Booth
EVP, Public Affairs
Notarize, Inc.