

SB132_L.004

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Business, Labor, & Technology.SB17-132 be amended as follows:

1 Amend printed bill, page 36, after line 9 insert:

2 "SECTION 8. Working group. (1) The secretary of state shall
3 convene a working group to make recommendations on whether to allow
4 a Colorado notary public physically present in this state to perform a
5 notarial act by means of communication technology. The working group's
6 recommendations must address:

7 (a) The desirability and feasibility of allowing notaries public in
8 Colorado to perform notarial acts through the use of audio-video
9 communication technology;

10 (b) Any limitations or requirements that should, in the view of the
11 working group, be imposed on the authority of a notary public performing
12 notarial acts through the use of audio-video communication technology;

13 (c) Any proposed legislative changes necessary to implement the
14 working group's recommendations; and

15 (d) Guidance on any rule-making necessary to implement the
16 working group's recommendations.

17 (2) Regardless of its overall recommendation, the working group
18 shall also make recommendations concerning how remote notarization
19 should be implemented if the general assembly authorizes it, including:

20 (a) Evaluation and identification of potential conflicts with
21 existing statutes and standards, jurisdictional issues, and any other
22 provisions it deems pertinent to ensure the validity of these notarial acts;

23 (b) Technology assurance standards;

24 (c) Requirements governing the real-time interaction between the
25 notary public and the principal, for recording of the session, and for use
26 of technology to render the document tamper-evident after the notarial act
27 is completed;

28 (d) Additional identity validation standards and best practices
29 beyond such provisions currently in statute;

30 (e) Data security and retention laws and standards, including best
31 practices industry standards and certifications, for the protection of
32 information from identify theft, privacy, and security of documents;

33 (f) Forms of certificates for these notarial acts; and

34 (g) Any other issues considered relevant.

35 (3) The working group shall report its recommendations to the
36 secretary of state and the general assembly no later than December 1,
37 2017."



1 Renumber succeeding section accordingly.

2 Page 36, strike line 11 and substitute "**applicability.** (1) Sections 8 and
3 9 of this act take effect at 12:01 a.m. on the day following the expiration
4 of the ninety-day period after final adjournment of the general assembly
5 (August 9, 2017, if adjournment sine die is on May 10, 2017) and the
6 remainder of this act takes effect July 1, 2018; except that, if a".

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