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**To:** Members of The House Health and Government Operations

**From:** J. Paul Rieger, Jr., Esq., Chair

**Date:** March 13, 2020

**Subject:** **SB 636 - Maryland Revised Uniform Law on Notarial Acts –  
Delay of Effective Date**

**Position:** **Opposed**

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The Maryland Coalition of Title Insurers (Coalition) **opposes the passage of Senate Bill 636 – Maryland Revised Uniform Law on Notarial Acts – Delay of Effective Date**. The bill seeks to delay the implementation of the Maryland Revised Uniform Law on Notarial Acts [SB678 2019] (“RULONA”) that was passed by the Legislature and signed by the Governor in May 2019.

The Coalition is comprised of seven title insurers doing business in the State of Maryland. The Coalition is concerned about the impact that delaying the implementation of the Act will have on real estate transactions, namely the purchase or refinance of a home or commercial property.

Maryland’s notary laws are badly outdated. They had not been updated in any significant way since the 1950s, notwithstanding the advent of digital technology and web commerce. RULONA was passed last year to authorize both electronic and remote notarization. Electronic notarization involves documents where the notary and document signer sign with an electronic signature. All other elements of a traditional, paper notarization apply to electronic notarization. Remote notarization (sometimes called webcam notarization or online notarization) allows a signer to personally appear before the notary by using audio-visual communication technology instead of being physically present in the same place as the notary.

Although RULONA was passed and enacted last year, SB 636 would further delay the implementation of RULONA for another year. Delaying the implementation of RULONA burdens consumers and places Maryland at a disadvantage, economically, vis a vis other States. The outbreak of the coronavirus has provided an unfortunate example of the importance of electronic and remote notarization. Consumers unable to make contact with others based on geographic, physical or medical restrictions could use remote notarization to complete important and/or necessary sales and refinances of their homes.

The implementation of RULONA was deliberately delayed 16 months (i.e. until October 1, 2020) to give the Secretary of State time to create the pre-commissioning course of study and testing for new applicants and course of study for renewal applicants. Otherwise, RULONA makes no changes to the way the Secretary of State operates, or the application process

involved in becoming a commissioned notary in Maryland.

To conclude, our Coalition feels that further delaying implementation of the entirety of RULONA is unnecessary. In light of these times, the social and economic advantages of RULONA far outweigh the slight administrative burden in developing a pre-commissioning course and test.

For these reasons the Maryland Coalition of Title Insurers **opposes SB 636 and urges an unfavorable committee report.**

Should you have any questions, please feel free to contact: Paul Rieger, Chair of the Coalition, at (410) 443-5069 or [prieger@firstam.com](mailto:prieger@firstam.com).

The Maryland Coalition of Title Insurers

Fidelity National Title Group

First American Title Insurance Company

Stewart Title Guaranty Company

Old Republic National Title Insurance Company

Westcor Land Title Insurance Company

North American Title Insurance Company

Conestoga Title Insurance Company