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STATE OF KANSAS

Testimony: SB106 (Proponent – written only)

Senate Judiciary Committee
Tuesday, February 9, 2021

Chairwoman Warren and members of the Committee:

The Kansas Secretary of State appreciates the opportunity to offer proponent testimony on SB106. Many of the notary statutes have been in place since the mid-1980s and this bill provides needed updates to modernize notary law in Kansas.

SB106 provides guidance to notaries about their authority as a notary, the services they can provide, guidelines for identifying signers, under what circumstances a notary should not notarize a document, and the limitations of a notary's authority. The bill also implements best practices for notaries, including requirement that notaries maintain a journal of all notarial acts and the requirement that a notary notify the Secretary of State's office if their stamp is lost or stolen.

In addition, SB 106 recognizes that technology advancements can be used to perform notarizations and permits remote notarizations. Nearly half of all states have enacted remote notary laws and are at various stages of implementation. Remote notary provides an important option to citizens who need the services of a notary but who may be unable to be in the physical presence of the notary for the notarization to occur, while including important safeguards to maintain the integrity of the notary process.

On behalf of the Office of Secretary of State, we support this effort to modernize the notary statutes and provide additional resources for notaries about their responsibilities under the law.

Respectfully submitted,

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