Alaska State Legislature

Representative Matt Claman
Session: State Capitol, Juneau, AK 99801 Phone: 465-4919
Interim: 1500 W. Benson Blvd., Anch, AK 99503 Phone: 269-0130

House Bill 124
Sponsor Statement — Version S

"An Act relating to the recording of documents; relating to notaries and notarization, including notarial acts performed for remotely located individuals; and providing for an effective date."

The House Judiciary Committee heard this bill once in 2019. We made revisions based on meetings with the Notary Commission in the Office of the Lieutenant Governor to align the goals of this bill with everyday operations of that department. The revisions are as follows:

- **Section 3:** This section was added to establish that the Uniform Electronic Transactions Act (AS 09.80) applies to AS 40.17, and the Department of Natural Resources shall accept notarial acts as described in section 10 of this bill.
- **Section 6:** Subparagraph 3 was amended to read "give a notarial certificate" because a notary public's primary function is to serve as a witness to a notarial act.
- **Section 10:** AS 44.50.075(b)(1)(C) was revised to provide for multifactor authentication of the identity of the remotely located individual and requires credential analysis of the government-issued identification card.
- **Section 11:** Subparagraph (b) is amended to add that a notary public must maintain at least one journal in a tangible medium to chronicle all remote notarial acts. The notary public may also keep one or more electronic journals to chronicle remote notarial acts. Additionally, because the Lieutenant Governor's office has never retained or stored notary journals, it removes subparagraph (f), which would allow a notary public to transmit a journal to the Office of the Lieutenant Governor for retention, and subparagraph (g), which would require the estate to transmit the notary public's journal(s) to the Office of the Lieutenant Governor upon death or adjudication of incompetence of the notary public.