STAND. COM. REP. NO. 940 -20

Honolulu, Hawaii

FEB 28 , 2020

RE: H.B. No. 2294 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 2294, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC,"

begs leave to report as follows:

The purpose of this measure is to modernize the laws regarding notaries public to bring them into conformity with national standards and current practices. Specifically, this measure:

- (1) Outlines the instances in which notaries public may refuse to perform notarial acts;
- (2) Authorizes notaries public to perform notarial acts for persons not in the physical presence of the notaries public and outlines the manner in which notaries public may perform such notarial acts, including through the use of authorized technologies and electronic stamping;
- (3) Clarifies the validity of notarial acts and the circumstances when notarial acts may not be performed;
- (4) Clarifies the retention of records; and

(5) Makes various clarifying amendments to conform to national standards and practices.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Commission to Promote Uniform Legislation, First American Title Insurance Company, Hawaii Land Title Association, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Mortgage Bankers Association of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2294, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committee on Finance,

SYLVIA LUKE, Chair

State of Hawaii House of Representatives The THIRTIETH Legislature

HSCR 940.20

Record of Votes of the Committee on Finance

Bill/Resolution No.: HB 2294, HD1	Committee Referral:	Date:	1-26-	1020
#B 2294, #DI JUD, FIN 2-26-2020 ☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold				
Pass short form bill with HD to recommit for future public hearing (recommit)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. LUKE, Sylvia (C)				
2. CULLEN, Ty J.K. (VC)				
3. ELI, Stacelynn K.M.				
4. GATES, Cedric Asuega				
5. HASHIMOTO, Troy N.				
6. HOLT, Daniel				
7. KITAGAWA, Lisa				
8. KOBAYASHI, Bertrand			·	
9. MATAYOSHI, Scot Z.				
10. NAKAMURA, Nadine K.				
11. NISHIMOTO, Scott Y.				~
12. TODD, Chris				
13. WILDBERGER, Tina				
14. YAMASHITA, Kyle T.				
15. McDERMOTT, Bob				:
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			·	
TOTAL (15)	13	Ø	<u>Ø</u>	2
The recommendation is: Adopted If joint referral, did not support recommendation.				
committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				