

CBA LPRC POSITION REQUEST FORM

The CBA Estates & Probate Section, Elder Law Section and Real Property Section **position request** is as follows:

1. Proposed legislative concept:

H.B 5325 is AA ADOPTING THE REVISED UNIFORM LAW ON NOTARIAL ACTS. The statute would authorize electronic remote notarizations of documents and would eliminate the need for the notary to be in the physical presence of the signer. The notary does not need to be licensed in Connecticut and there is no exception for documents such as Wills, Trusts, powers of attorney and deeds.

2. Explanation and rationale for **opposing** this position:

All three sections oppose the legislation because there are provisions of the uniform act that are inconsistent with or in conflict with existing CT law. We need time to review and harmonize the law for Connecticut purposes. The electronic notarizations provision may undermine the efficacy of notarial acts. It also may enable persons not admitted to practice law in Connecticut to provide legal advice and legal documents to residents.

3. Is draft legislation or a proposed bill included?

Yes, as noted above

4. What is the date of any legislative hearing, if known?

Tuesday, March 10, 2020

5. Was this position previously approved by the CBA? If so, when does/did it expire?

No, never presented

6. Is the CBA section or committee seeking to join a previously approved CBA section or committee position?

No, but all three sections are asking for contemporaneous approval.

7. Potential or actual CBA opposition from another CBA section or committee?

None known.

8. Strength of section position (including process and results of section vote taken on issue):

Approval of the Executive Committee, at March 3, 2020 meeting.

9. Fiscal impact (on the state): None

10. Are you seeking "fast-track" approval? Yes