April 27, 2020

Governor Larry Hogan
National Governor’s Association
444 North Capitol St. NW
Suite 267
Washington, DC 20001

Honorable Paul Pate
National Association of Secretaries of State
444 North Capitol St. NW
Suite 401
Washington, DC 20001

Robin Vos
Speaker
National Conference of State Legislatures
444 North Capitol St. NW Suite 515
Washington, DC 20001

Lisa Nelson
President/CEO
American Legislative Exchange Council
2900 Crystal Dr. #6
Arlington, VA 22202

Dear Leader:

On behalf of America’s credit unions and their 115 million members, I am writing to urge the enactment of permanent and consistent remote online notarization (RON) statutes and rules in the 27 states that do not permit the practice.

Notarial acts are a necessary component of the residential loan closing process. As credit unions continue to serve members’ needs by using online, mobile, and other electronic means, it has become clear that our state notarial laws and regulations are inadequate to support this shift in technology. The limitations with our existing laws may result in increased risk to credit unions and their members by hampering our ability to serve our members.

Moreover, the health emergency created by COVID-19 has created an even greater need for resources that allow members to complete real estate financial transactions remotely in light of stay-at-home orders and mandated social distancing. The financial stimulus measures implemented by state and federal governments, including significant cuts to interest rates, have stimulated mortgage lending, particularly refi

Many states have recognized the need to revise or update their laws to support RON and have begun to implement legislation and rules that govern the online notarial process. As they do, it is imperative that states adopt a consistent approach. The attached model legislation developed by the Mortgage Bankers of America (MBA) in concert with the American Land Title Association (ALTA) is aligned with the RON legislation adopted by more than 20 states, and is also consistent with the standards contained in the Revised Uniform Law on Notarial Acts developed by the Uniform Law Commission. These principles have been developed by industry experts and are necessary to enable remote online notarization in states while protecting consumer information.

America’s Credit Unions are working tirelessly to continue serving their members throughout this crisis and stand ready to work with you to continue those efforts.

Sincerely,

Jim Nussle
President & CEO