



OHIO SOCIETY OF NOTARIES

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Statement in opposition to Sub. HB 49, SOSCD11 R.C. 147.08 - Notary Fees

The Ohio Society of Notaries is the not-for-profit, professional association for Ohio notaries public, and a primary resource of notary information in our state. Our mission includes providing awareness, training, and advocacy for Ohio's 220,000 notaries.

This Amendment would authorize notaries to set their own, unlimited fees for the providing of various notarial acts to the public, which are now capped at a maximum of two dollars per notarization. Our association is opposed to the Amendment.

Ohio has one of the most antiquated and, as such, weakest notary commissioning systems in the country. Beyond the statutory requirements of age, state residency, and "good moral character", there are NO uniform requirements in our state for notary examinations, background checks, or training. Rather, we have 88 separate county eligibility criteria.

The result is that the vast majority of Ohio notaries receive little or no training for their essential role in the legal system, or the critical responsibilities they must fulfill to Ohio's citizens. We produce too many incompetent, and even rogue, notaries, as there is no statute prohibiting a felon from holding a notary commission. Yet, many do.

This Amendment, in our view, is driven by corporate interests who complain that the \$2 fee charged by their notaries does not provide enough profit for their operations. We do not believe that the intent of the ORC is to provide increased notary revenues for corporations. We feel it inappropriate to subject a trusting public from a \$2 fee to an unlimited charge of \$15, \$20, or whatever the notary (or their company) wishes to charge for a notarization.

It is a sad state of affairs, but the level of notary knowledge in Ohio is nowhere near where it needs to be to adequately serve the public; frankly, the lack of knowledge displayed by most notaries is barely worth the current allowable fees, let alone warranting an increase.

I currently sit on a Senate subcommittee chaired by Senator Huffman, whose charge is to address long-overdue Ohio Notary Reform, and bring our notary system into the 21st Century. This effort will produce better-vetted, well-trained, and confident notaries. Once these new mechanisms are in place, we will certainly support revision of notary fees to reflect the increased value of these notaries, and their ability to better protect the public they are sworn to serve. But until then, we will oppose any such unilateral increases.

Roger Rill
President 5/16/17



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Statement in opposition to Sub. HB 49, SOSCD12 R.C. 147.541, 542, 543

The Ohio Society of Notaries is the not-for-profit, professional association for Ohio notaries public, and a primary resource of notary information in our state. Our mission includes providing awareness, training, and advocacy for Ohio's 220,000 notaries.

This Amendment would permit *Electronic/Remote notarization* in Ohio. The wording is vague, provides no details as to how implementation would be accomplished, nor any parameters on how notaries would operate under such rules.


The Attorneys General in Ohio and several other states, have not permitted Remote Notarization since 2011.

There have been numerous questions and concerns raised about this process. The National Association of Secretaries of State is due to issue a position statement at their Summer conference in early July, which will provide their guidance as to the formatting of Remote Notarization, and its utilization between states.

We feel strongly that Ohio's antiquated and weak notary system is in dire need of urgent revisions and updates, and that these take precedence over the consideration of Remote Notarization. Accordingly, we oppose the introduction of Remote Notarization as unilateral legislation.

We will, however, consider aspects of Remote Notarization as part of an overall Ohio Notary Reform package.

There is currently a Senate subcommittee, chaired by Senator Wilson and with a complement of learned members, that is addressing the issue of Remote Notarization. This subcommittee will strive to produce a workable process, and we will support the subcommittee's recommendations on Remote Notarization at that time, and as part of Ohio Notary Reform.


President
6/16/17