**Testimony of**

**Mary Amos Augsburger, CEO and Executive Director of the Ohio State Bar Association and C. Allen Nichols, Executive Director of the Akron Bar Association and**

**an Ohio Notary Public**

**Re: Senate Bill 263**

**Senate Insurance & Financial Institutions Committee**

**Tuesday, April 17, 2018**

Chairman Hottinger, Ranking Member Brown and members of the Senate Insurance and Financial Institutions Committee: Thank you for the opportunity to testify regarding Senate Bill 263, legislation that would bring standardization and a sense of modernization to the notary public system in Ohio.

We are here representing the Ohio State Bar Association and Ohio Metropolitan Bar Association Consortium consisting of the bars in Cleveland, Cincinnati, Columbus, Dayton, Toledo, and of course, Akron. The Ohio State Bar Association is the largest voluntary professional association in the state representing nearly sixty percent of Ohio’s legal practitioners. Collectively, the metropolitan bars have extensive experience in the training and commissioning of notary publics. The metropolitan bars’ respective counties saw over 58,000 notaries commissioned in the last five years.

We are pleased with the efforts of Senator Matt Huffman and Senator Steve Wilson to bring about comprehensive notary reform through SB 263. We appreciate their willingness to bring interested parties together to see this to fruition in a collegial manner. We are also very proud to be working as partners representing seven bar associations throughout the discussion and drafting stages of this process and especially now as it gathers steam and moves through the General Assembly.

We see this bill as having three distinct components:

1. The establishment of electronic notarization in our State
2. The standardization of the notary commissioning process, including but not limited to standardization of training, curriculum and expectations of service.
3. The centralization of the commissioning management function

The prospect of electronic notarization is a positive step forward for Ohio and its business community. With this increasingly digital world we’re excited that Ohio will become one of the nationwide leaders in this area. It is a complicated issue and the senators have drafted this bill with the necessary foresight and parameters to ensure that it can work for Ohio’s business and consumers. We intend to continue our conversations with the sponsors to address our concerns about attorney notaries and the concept of client confidentiality.

We believe standardization has been long-needed and think this bill moves in the correct direction to ensure that there is a single method for becoming an Ohio notary public, as opposed to 88 different ways as seemingly exists now. Similar to the process used currently by the Akron Bar Association and our fellow metropolitan bar partners new notary applicants will be required to take a class, pass an exam, and undergo a Bureau of Criminal Investigation background check before they can be commissioned. All steps in the right direction.

Finally, the notary commissioning process will be centralized under the auspices of the Secretary of State. We are not opposed to this centralization. Our only concerns reside in the vagaries of the administrative rule-making processes once the bill becomes law. However, we have every reason to believe we will be able to continue our collaboration with the sponsors and the Secretary to ensure that the legislative intent of this bill guides the process. Additionally, we are positive the interests of those involved in our notary system will have their voices heard…and even more importantly, that notary consumers can be insured that the person who they retain as a notary is appropriately trained, competent, and qualified to be a notary public.

Lastly, attorneys who registered with the Ohio Supreme Court are eligible to be notary publics by virtue of their role as legal professionals. We appreciate the sponsors’ understanding of the unique roles attorneys play in this arena and that all current attorney notaries would not be impacted by the new requirements in SB 263. We also look forward to an amendment which would recognize that the three day long bar exam is a sufficient enough examination of the law to qualify an attorney as a notary.

Thank you for this opportunity to testify today regarding SB 263. Once again, the six metropolitan bars and the Ohio State Bar Association are pleased to be partnering to bring about reform to Ohio’s notary system. The support of Ohio’s largest bar associations demonstrates the importance of reform to our associations and members. We’re also grateful to Sens. Huffman and Wilson for their diligence and desire to see this bill succeed. Each of us look forward to continuing to work with the sponsors and this committee as the bill progresses.