



SENATOR STEVE WILSON

Small Business & Economic Opportunity Committee
Senator Steve Wilson
September 20th, 2022
Senate Bill 130

Good afternoon Chairman Lang, Vice-Chair Wilkin, Ranking Member Sykes, and members of the Small Business and Economic Opportunity Committee. Thank you for allowing me to provide sponsor testimony on Senate Bill 130, which amends the law regarding notaries public, and also makes changes to the Limited Liability Company Act. I have worked on this legislation with the assistance of the Secretary of State's office, and I anticipate they will be testifying as proponents in the coming weeks. They also will be able to answer any of the more-technical questions that may come from the Committee.

Some members of this Committee may recognize the provisions in this bill regarding the regulation of notaries public. That is because most of this bill is a re-introduction of SB 300 of the 134th General Assembly, which passed on the Senate floor by a vote of 32-0.

As we experienced first-hand during the COVID-19 pandemic, Ohio's laws do not give notaries the tools and resources they need to be effective in the 21st Century and in public emergencies. When in-person contact was to be avoided, we put our notaries in an impossible situation where they were forced to choose between public safety and carrying out their official duties.

This legislation corrects that burden by making several changes which would allow notaries to utilize modern technology. Under this proposed legislation, notaries will be permitted to e-notarize, and the legislation makes several changes to the notary law to make this possible. Some of these changes include, Redefining “acknowledgment” to mean an individual’s declaration before a notary that the individual has signed a record for the purpose stated in the record, requiring notaries to file an electronic form instead of paper forms when seeking to replace lost or stolen commissions or to amend an existing commission, and expanding the list of government officials that are required to accept electronically notarized documents.

In addition to the provisions that improve regulations affecting notaries public, this bill also makes changes to SB 276 of the 133rd General Assembly, also known as the LLC Act. SB 276 passed on the floors of the Senate and House by votes of 29-0 and 83-1, respectively, in December 2020. Since that legislation became effective, we learned that there were some tweaks that needed to be made to allow for more operational efficiency. As many of us know, it is difficult to anticipate how the legislation will work in practice until some time has passed. The revisions to the LLC Act in this legislation will build upon the SB 276 of the 133rd General Assembly. Ohio will be further-positioned as one of the most business-friendly states in the nation and as a top destination for entrepreneurs.

During this General Assembly, it has been a goal of mine to modernize the operations of government across the State of

Ohio. Nine months into this General Assembly, we have successfully passed legislation to modernize Ohio's statewide 9-1-1 system by updating technology and operations that were created in the 1960s. We have also innovated the code by eliminating outdated and burdensome provisions in the Ohio Revised Code and saving Ohio taxpayers millions of dollars. Now, it is time we improve upon Ohio's business services in this state by improving upon the LLC Act and by allowing notaries the freedom to do the job they swore an oath to carry out.

Thank you for allowing me this opportunity to testify on Senate Bill 130. I stand ready to answer any questions the Committee may have.