

# Remote Online Notarization Update

**National Association of Secretaries of State**  
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Notarize



# NOTARIZATION TYPES AND TERMINOLOGY

alta.org/digitalclosings



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Notarization Type	Definition	Authorization Type	Document Type	Multi-Factor Authentication ( <i>Credential Analysis &amp; KBA</i> )	Recorded and Retained AV Record	eNote Capability	In Person or Remote
<b>Remote Online Notary (RON)</b>	Remote online notarization of electronic documents with use of multi-factor authentication.	Permanent State Statute or Temporary Notarization Executive Order or Legislation					
<b>Paper Remote Online Notarization (PRON)</b>	Remote online notarization of paper documents (delivered via mail, courier, etc.) with use of multi-factor authentication.	Permanent State Statute (RULONA 2018) or Temporary Notarization Executive Order or Legislation					
<b>Remote Ink Notarization (RIN)</b>	Remote notarization of paper documents via audio-video communication platform (Skype, Facetime, etc.).	Temporary Notarization Executive Order or Legislation					
<b>Traditional Wet Ink Notarization (TWIN)*</b>	In person notarization of paper documents.	Permanent State Statute					
<b>In Person Electronic Notarization (IPEN)*</b>	In person notarization of electronic documents.	Permanent State Statute					

\* Not a touchless transaction. In person contact required.

## LEGEND

electronic

paper

yes

no

remote

in-person

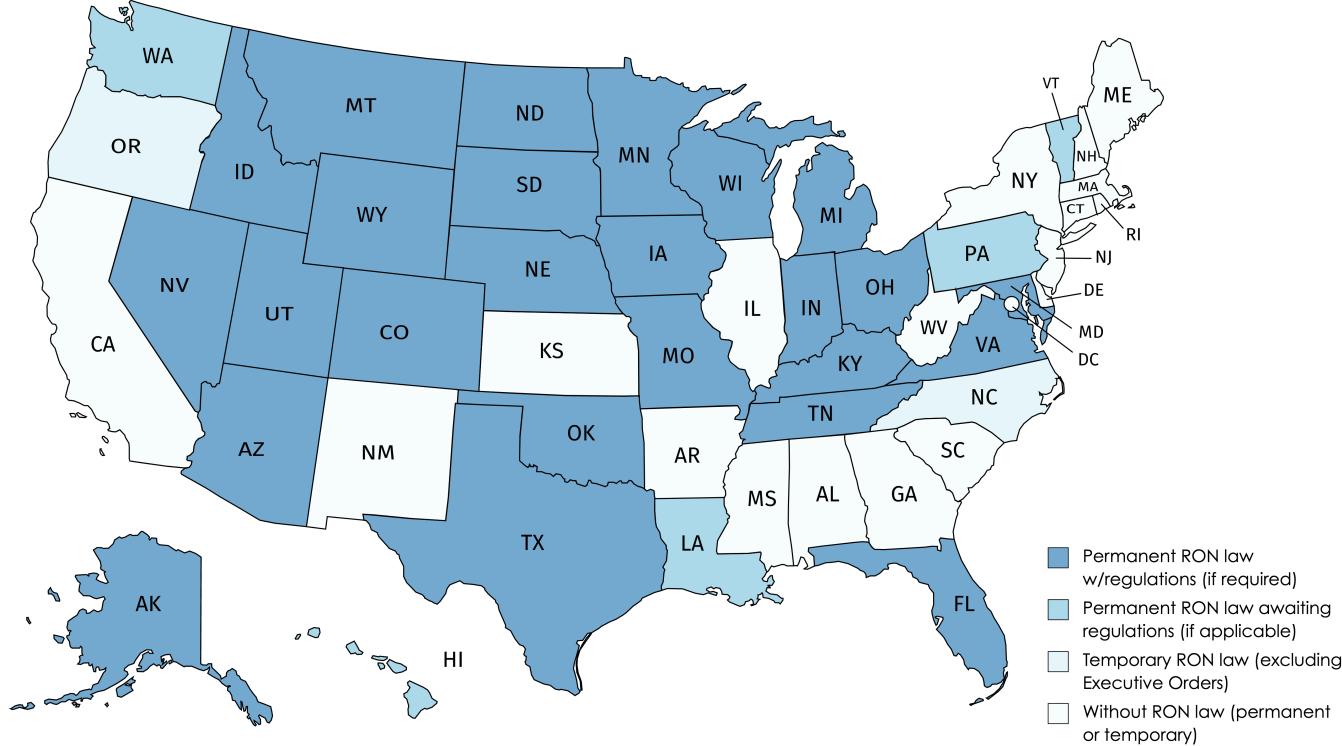
# Roadmap: Remote Online Notarization



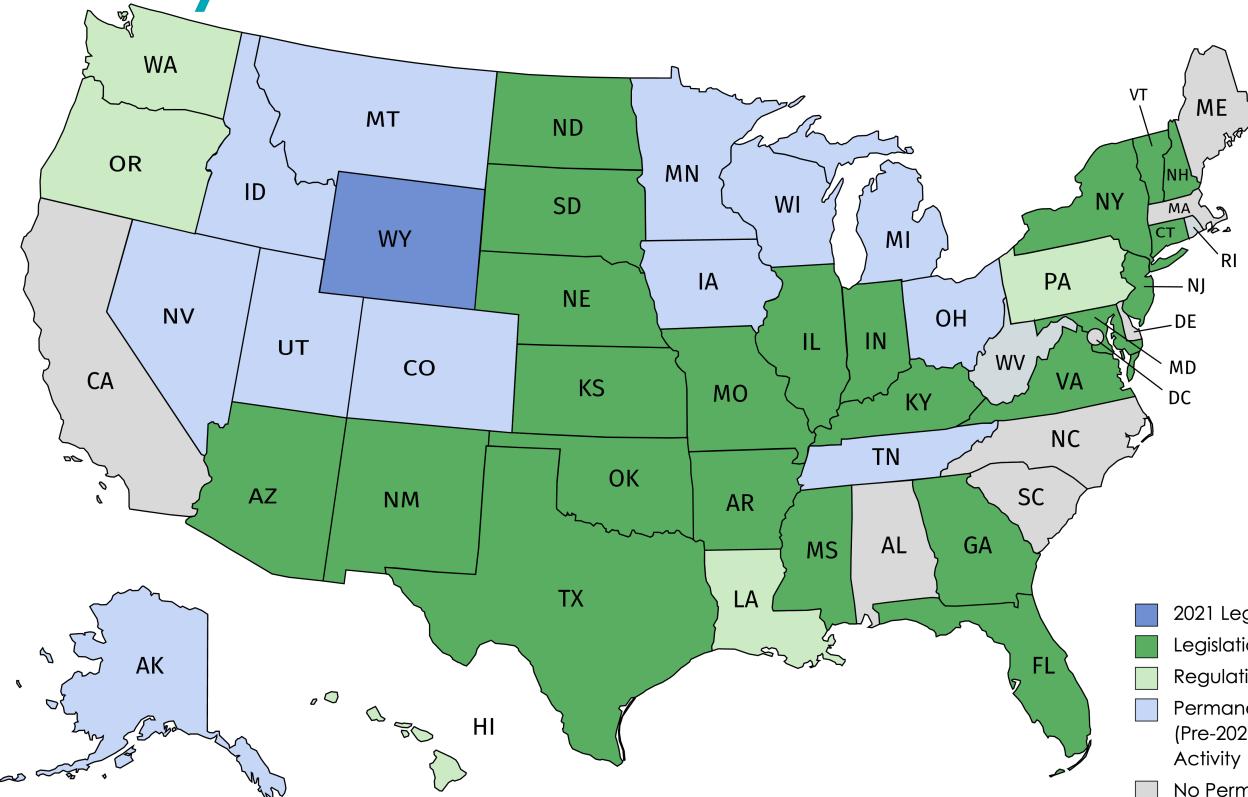
# Letter to NASS from ALTA, MBA & NAR

- Request Secretaries of State lead discussions with lawmakers to find the right balance between convenience and security in remote notarizations, rejecting options that are simpler but lack essential safeguards.
- RIN style notarizations do not provide the level of anti-fraud protections the notary process is intended to solve for, especially when it comes to identity verification.
- Codifying temporary measures, which lack consumer protections, will interject a high-level of uncertainty into what constitutes a valid notarial act and compromise the established legal framework for use of remote notarizations.

# State of Play: Remote Online Notarization Laws



# State of Play: Remote Online Notarization 2021 Activity



- 2021 Legislation Passed
- Legislation Introduced
- Regulation Activity/Expected
- Permanent Law (Pre-2021)/Currently No Activity
- No Permanent Law/No Legislation Introduced

As of February 13, 2021



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# Real Estate Standards: MISMO Update

- Mortgage Industry Standards Maintenance Organization (MISMO) reformed a **RON Working Group**
- **Reopen RON standards** due to 2020 RON growth in the digital mortgage process
- Tailored to the **real estate community** to create seamless process for consumer
- First Working Group Meeting **2/9/21 at 1-2 PM ET**
- **All welcome to join discussion even if not MISMO member**

Reach out to **Nicole Booth (RON Working Group Vice Chair)** to learn more

# State of Play: SECURE Notarization Act

The SECURE Notarization Act takes a multi-prong approach to continue and expand access to remote online notary:

- ✓ Permits immediate nationwide use of RON
- ✓ Creates national minimum standards
  - Multi-factor authentication
  - AV recording retention
  - Tamper-evident technology
- ✓ Provides certainty for the interstate recognition of RON

**2020: 6 Senate Sponsors and 82 House Sponsors**

# ALTA Survey of Remote Online Notarization Usage

- A survey of major RON vendors indicated use of RON has increased 547% during 2020 when compared to 2019.
- Today, RON is being utilized most extensively in Florida, Texas, and Virginia. Additionally, use is trending up significantly in Midwestern states.
- Firms offering remote notarizations to a broader base of customers indicate 75% of their business is non-real estate related.

# THANK YOU

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