

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 3, 2009
Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

SB09-111 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 3, strike line 13 and substitute the
2 following:

3 "SECTION 5. 12-55-111 (1), (3), and (4), Colorado Revised
4 Statutes, are";

5 after line 19, insert the following:

6 ~~"(3) (a) Subsection (1) of this section shall not apply to any~~
7 ~~document or electronic record where the original or a copy of such~~
8 ~~document or electronic record contains the information otherwise~~
9 ~~required to be entered in the notary's journal and such original or copy or~~
10 ~~electronic record is retained by the notary's firm or employer in the~~
11 ~~regular course of business.~~

12 ~~(b) Notwithstanding any provision of this subsection (3) to the~~
13 ~~contrary, no firm, employer, or professionally licensed person shall~~
14 ~~prohibit an employee who is a notary from maintaining a journal of his or~~
15 ~~her notarial acts in the regular course of business of such firm, employer,~~
16 ~~or professionally licensed person.~~

17 ~~(c) For purposes of this subsection (3), "firm" includes but is not~~
18 ~~limited to an office where the business of a real estate broker, lawyer, title~~
19 ~~insurance company, title insurance agent, or other licensed professional~~

1 ~~is regularly carried on and the records of such business are regularly~~
2 ~~maintained.~~

3 (4) Except as otherwise exempted by ~~paragraph (a) of subsection~~
4 ~~(3) of this section or by~~ another law of this state, for each electronic
5 record or document signed by the notary public, the notary public shall
6 record the document authentication number issued by the secretary of
7 state for each document authenticated in the journal pursuant to this
8 section.";

9 strike lines 20 through 27.

10 Page 4, strike lines 1 through 10.

11 Renumber succeeding sections accordingly.

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