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State of Minnesota

HOUSE OF REPRESENTATIVES

SECOND SPECIAL SESSION

H. F. No. 71

07/14/2020 Authored by Freiberg
The bill was read for the first time and referred to the Committee on Government Operations
07/20/2020 Adoption of Report: Amended and re-referred to the Committee on Commerce

1.1 A bill for an act
1.2 relating to notaries; authorizing use of video appearance for real estate document
1.3 notarization during public health emergency.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. REAL ESTATE DOCUMENT NOTARIZATION; APPEARANCE BY
1.6 VIDEO AUTHORIZED DURING PEACETIME PUBLIC HEALTH EMERGENCY.

1.7 (a) During and for 60 days after the expiration of a peacetime public health emergency,
1.8 with respect to documents recorded pursuant to Minnesota Statutes, sections 507.24 and
1.9 507.27, the requirement to appear personally under Minnesota Statutes, section 358.56, is
1.10 deemed met when the notarial officer and the individual making the statement or executing
1.11 the signature, whether acting on behalf of themselves or in a representative capacity, are
1.12 not in the same location but are physically located within the state of Minnesota and
1.13 communicate via video conference in real time. The notarial officer shall, either directly or
1.14 through an agent, create an audio and visual recording of the performance of the notarization
1.15 and retain such recording as a notarial record for a period not less than ten years.

1.16 (b) For purposes of this section, "peacetime public health emergency" means any
1.17 peacetime emergency declared by the governor in an executive order that relates to the
1.18 infectious disease known as COVID-19.

1.19 EFFECTIVE DATE. This section is effective the day following final enactment and
1.20 expires January 6, 2021.