

# The SECURE Notarization Act Is A Necessary Step Into The Future

*By Diane Tomb, CEO of the American Land Title Association*

Since the onset of the pandemic, businesses have been forced to rapidly adapt to a new normal, and the real estate industry is no exception. One of our industry's most important tools in this process has been remote online notarization (RON). Being able to execute real estate transactions digitally has been critical to our efforts to keep people safe and continue business. Now, we must ensure that digital closings continue to be a convenient option for all Americans by passing national RON legislation.

In the real estate industry, notarizations play a key role in transaction documents, from deeds to mortgages to lien releases and even home equity loans. And since 2012, an increasing number of states have allowed individuals to complete these notarizations virtually. This has been particularly important for certain populations including active military, who may need to sign papers while overseas, as well as Americans with disabilities or medical conditions, who may not be able to easily leave their homes to sign papers in-person.

While RON usage has been steadily growing, it skyrocketed to new levels last year. Amid the social distancing policies of the past year, a number of states without permanent RON legislation moved quickly to permit it on a temporary basis during the pandemic. RON became a critical tool to help facilitate the highest mortgage [origination volume](#) in history. In total, we saw a [547 percent](#) increase in use of RON throughout 2020.

Recognizing the clear benefits of extending RON to all Americans, the bipartisan Securing and Enabling Commerce Using Remote and Electronic (SECURE) Notarization Act of 2020 was introduced in the US House and Senate last year. The bill permits immediate nationwide use of RON, with minimum standards, and provides certainty for the interstate recognition of RON. However, the SECURE Notarization Act of 2020 was never voted on. Reintroduction in both chambers of Congress is now imperative, and time is of the essence, as several states' temporary RON provisions are set to expire. On May 13, the Senate bill was reintroduced by Senators Mark Warner (D-VA) and Kevin Cramer (R-ND), taking an important first step.

The SECURE Notarization Act will give Americans a secure method to execute important transactions with ease. It would enable every notary in the US to perform RON not only for real estate transactions, but also for other critical documents including affidavits, powers of attorney, living trusts, and advance health care directives.

Moreover, amid historically low interest rates, national RON legislation would encourage savings at a critical time for many Americans. According to [new research](#), at least 13 million homeowners would save an average of \$283 a month by refinancing. A few million homeowners would save at least \$400 a month by refinancing, and 1.5 million could reduce their mortgage by \$500 or more. As American families are working hard to recover from the economic impacts of the COVID-19 pandemic, passing legislation that will make securing crucial savings easier would be financially significant for millions.

In the title industry, there is no better day than closing day. Each home bought or sold, and each mortgage refinanced is a true celebration. By prioritizing passage of the SECURE Notarization Act, we can take a much-needed step into the future by modernizing the notarization process with a secure system that has proven to meet consumer needs and expectations.