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# Bill Updating Notary Public Law to Allow Remote Service Moves Forward; Fees Set to Increase in April

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A bill seeking to update the territory's notary public law to allow for, among other advances, remote services and increased fees, was approved in the Senate Committee on Government Operations & Consumer Protection Thursday and will be forwarded to the Committee Rules and Judiciary for further vetting.

Bill No. 34-0155, whose passage would affect the just over 600 notaries in the territory was supported by the Office of the Lieutenant Governor, which houses the Notary Division that regulates notary transactions. The O.L.G. supported the measure "because it codifies the policies, procedures, and practices" at the Office of the Lieutenant Governor," said Dolace McLean, legal counsel at the O.L.G.

Yet while the measure codifies remote notary transactions, Ms. McLean said the practice has long been approved. "While Bill No. 34-0155 provides for remote online notarization, it is important to note that the Notary Division has had a longstanding practice of allowing this method of notarization," she said. "The Notary Division supports remote online notarization as a better means of protecting consumers, and notaries, as the pandemic continues. Furthermore, given the communication technology and software that provide for identity proofing and audio-visual recording of the notarial act, remote online notarization creates additional safeguards for the integrity of the notarial process and deters fraud and abuse."

Troy deChabert-Schuster, AARP VI state director, told the committee that remote notary transactions would be beneficial to the aging population. "AARP is particularly concerned that all the citizens, and caregivers have continuous access to transact business and execute legal documents during this pandemic, and beyond. This law provides access to this basic, but essential, service," he said.

Invited testifier Attorney Andrew C. Simpson supported the measure, stating that it provides "much needed modernization of Virgin Islands law relating to notarial acts." However, he suggested changes to the fee structure. The bill would allow for a maximum fee of \$25 for the remote service, while leaving the \$5 per in-person notarial act put in place in 1986 unchanged. "Why would a notary perform in-person notarizations at \$5.00 each when an additional \$20 can be earned by performing a remote notarization?" Mr. Simpson asked rhetorically to support his suggestions.

The Office of the Lieutenant Governor, however, plans on raising fees in April, according to information the O.L.G. provided during the hearing. Starting April, the cost of each notarial act will move from \$5 to \$15, while a maximum fee of \$25 can be levied for additional services provided by the notary, including traveling to a client's location.

Also at Thursday's hearing, lawmakers approved Bill No. 34-0148, an Act honoring and commending LaVerne E. Ragster for her contributions and research efforts to the Virgin Islands, the University of the Virgin Islands and the children of the Virgin Islands and naming the University of the Virgin Islands Administration and Conference Center on the island of St. Thomas in her honor."