



July 7, 2022

Pamela Wright
Secretary of State
Office of the General Counsel
298 Howlett Building
Springfield, IL 62756
pwright@ilsos.gov

Re: Remote Notary Proposed Rules (14 IAC 176; 46 Ill Reg 5874)

Dear Ms. Wright,

Please accept this Administrative Rule First Notice public comment addendum from the Illinois Land Title Association regarding remote notary proposed rules in Illinois Register Volume 46, Issue 16, pages 5874 - 5974 (14 IAC 176).

Since submission of an initial public comment, we have become aware of two potential issues regarding regulatory parameters that could be made more consistent in the course of your final review:

Record Retention/Maintenance – 7 years vs. 5 years

- 176.840 (Maintenance of Record of Electronic Notarial Act) "The record must be maintained for a period of not less than 7 years";
- 176.960(b) (Record Retention and Depositories) "An electronic journal must be retained for least five years after the last electronic or remote notarial act chronicled in the journal. An audio-visual recording must be retained for at least five years after the recording is made"

Prohibition vs. Authorization to Alter and Redact

- 176.900 (c)(1) "Prohibit the electronic notary public or any other person from deleting a record included in the electronic journal or altering the content or sequence of such a record after the record is entered into the electronic journal";
- 176.910(d) "A notary public who inadvertently records information prohibited under paragraph (c) of this Section shall redact such information prior to providing public access to or copies of the notary journal"

It appears that some of this can be clarified with a cross-reference exception, and ILTA members remain available to answer any industry application questions.

Thank you for your consideration of the above public comments and requests for clarification.