

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE

SECRETARY OF STATE

CHERYL MYERS

DEPUTY SECRETARY OF STATE

TRIBAL LIAISON



State of Oregon
900 Court Street NE #136
Salem, Oregon 97301
503-986-1500

<http://sos.oregon.gov>

February 6, 2024

Chair Fahey, Vice Chairs Kropf and Helfrich, Members of the Committee:

Good afternoon, Chair Fahey, Vice Chairs Kropf, Helfrich, and members of the House Rules committee. I am Coline Benson, Legislative Coordinator for Secretary of State Griffin-Valade. We continue to build trust between the public and our state government so that our services can make a positive difference in peoples' lives. I am here in support of HB 4020, which aims to provide necessary tools to notaries around the state.

The Corporation Division provides information to support businesses, and ensures the registration process is fast, simple, and easy as possible. Additionally, the Corporation Division processes notary apostilles and authentication for vital documents for our customers when the document needs to be used outside of the United States. These apostilles and authentications are used for reasons such as adopting a child from another country or requesting dual citizenship. Notaries provide a critical role by notarizing documents. Currently, we require training for notaries when they first apply for a commission and if they re-apply after the original commission expires. Training methods include in person, webinar, and self-paced learning. We've also included a refresher course and we keep the training courses updated to ensure notaries have up to date information.

The problem we are seeing is notaries can go several years without any re-training if they continue to re-apply prior to their commission expiring which has resulted in errors in notarizations. This is not the fault of notaries or because we do not provide enough training. The issue is that the training we offer is not mandatory. If HB 4020 is passed, the Corporation Division can improve notary education training program, provide more support to commissioned notaries, and address frequent mistakes. Our solution is to change [ORS. 194.325](#) to require notaries to receive training every 4 years. Again, this will ensure notaries are getting up to date information and we anticipate errors decreasing. It builds trust in our ability to enforce laws and rules to assist notaries and the public.

Our Corporation Division researched how other states house the notary commissions, we found that not all states house the notary commissions within the Secretary of States office. Almost half of the states require training during first time applying to the commission and at the time of re-applying. The training courses vary from 3-6 hours long and the State of North Carolina requires a training course through a community college for first time applicants. Additionally, over half the states require that a notary be bonded to protect the public from financial harm due to notary mistakes. There are only about 8 states that don't require training or a bond, and several states offer optional training.

The Corporation Division surveyed the Oregon branch of the National Association of Legal Support Professionals. 80% of the responses support the change in statute. The comments supporting this change recognized the value of the training and ensuring notaries have up to date information. The 20% that opposed the change expressed concern about a possible payment to receive the training. To clarify we do not charge for our training.

Thank you for your time. We ask that the committee pass HB 4020.

Sincerely,

Coline M. Benson, M.L.S.

Point of Contact:

Coline Benson, Legislative Coordinator
Coline.benson@sos.oregon.gov