

# PRIA IN TOUCH

December 21, 2020



## President's Message

Dear Members:

I'm pleased to report that PRIA has published its third bi-annual eRecording Document Volume Survey, based on data from 2018. The first document volume survey was issued in 2015 based on data collected for calendar year 2014. This was followed by a second survey in 2017 reflecting data collected for calendar year 2016.



In the second quarter of 2019, PRIA distributed the survey to 1,714 recording jurisdictions across the United States known to be electronically recording for the full 2018 calendar year. This final report is based on 622 survey responses (36 percent response rate) and is available from the PRIA website Resource Library; key words document volume.

A fourth survey will be issued in 2021 to collect data based on 2020 recordings.

During its monthly meeting in December, the board approved posting a **Papering-out** educational paper for 30-day comment. This PRIA paper provides base definitions pertinent to the process of papering-out. It includes applicable background information and, by reference to PRIA's website, state statutory citations. A sample certification page is also included in this paper. I encourage all members and non-members to read this paper and offer suggestions on the content. Comments will be accepted through January 20, 2021.

On behalf of the entire PRIA board, I wish everyone a joyful holiday season. While 2020 has been a tumultuous year, there is much to be hopeful for in 2021...a pandemic under control with an effective vaccine and the promise of an in-person PRIA conference in August in Milwaukee.

Have a good month,

**Jerry Lewallen**  
President



**Ohio Considers New Electronic Recording Legislation**

The Ohio General Assembly is considering a bill that would require counties to provide an electronic means of recording instruments and accessing recorded instruments. It also would allow recorders to charge a document preservation surcharge.

**House Bill 797** states, “Not later than January 1, 2024, each county recorder, county auditor and county engineer shall make available to the public a method for electronically recording instruments related to conveyance of real property that adheres to the standards governing conveyances of real property adopted by a county in accordance with section 319.203 of the Revised Code.”

In addition, by January 1, 2024, county recorders would have to make available to the public on the county recorder’s website electronic indexes for, and electronic versions of, all instruments recorded on or after Jan. 1, 1980, except veteran discharge papers or instruments prohibited from being disclosed under federal law.

The bill would allow recorders to charge a document preservation surcharge of \$10 and is intended to support the preservation and digitization of documents, and ongoing costs incurred by a county recorder’s office to make available to the public a website with appropriate security features, electronic document hosting, online viewing, print and download features that enable an individual to print or download a copy of a public record from the website.

## **New Jersey Governor Signs Redaction Legislation**

December 3, 2020

On November 20, New Jersey Gov. Phil Murphy signed legislation that requires the redaction of home addresses and telephone numbers of judges, prosecutors and law enforcement officers from public records.

**A1649**, known as “Daniel’s Law,” is named for Daniel Anderl, the late son of U.S. District Court Judge Esther Salas, who was killed by a person who had compiled personal information about the judge, including her home address.

The bill amends the Open Public Records Act (OPRA) to exclude from the definition of a public record the portion of any document that discloses the home address of any active or retired judge, prosecutor or law enforcement officer. The bill also prohibits government agencies, individuals and businesses from knowingly publishing on the internet, or otherwise making available, the home address or unpublished home telephone number of any active or retired judge or prosecutor.

The bill also enables any active or retired judge, prosecutor or law enforcement officer, and their families, whose home address or unpublished telephone number is disclosed on the internet or otherwise made available to the public, to request that the information be removed. The government agency, individual or business would be required to remove the information within 72 hours of receiving such a request in writing.

The legislation garnered the attention of U.S. Sens. Bob Menendez and Cory Booker, both of whom in September introduced a **bipartisan bill** that would safeguard the personally identifiable information of federal judges and their immediate families.



## **Recorders, Give the Gift of Associate Membership**

You can give your staff the gift of PRIA membership for the remainder of the membership year (through July 31, 2021) for **just \$25**. This is a limited offer that expires on January 31, 2021.

By enrolling your staff as PRIA members, they will have access to members-only

documents on the website. They can participate in a committee or work project team and engage in the process of developing standards and best practices for the industry. Your staff will have access to PRIA's Learning Management System, complimentary monthly webinars and micro-learning opportunities on Zoom.

Membership in the industry's national trade association for standards development will offer them an opportunity to connect with other like-minded professionals and develop a network of industry contacts.

Your staff will appreciate this added benefit of their employment with your organization. Use this [Membership Application](#) to enroll your staff members today.



## **PRIA Supports the Passage of SECURE Act**

PRIA has joined with other real estate industry trade groups to support the Securing and Enabling Commerce Using Remote and Electronic Notarization Act (SECURE Notarization Act).

This bicameral, bipartisan legislation (H.R. 6364, S. 3533) introduced by Reps. Dean (D-PA) and Reschenthaler (R-PA) and Sens. Cramer (R-ND) and Warner (D-VA), has 81 co-sponsors in the House and five in the Senate. The SECURE Notarization Act allows businesses and consumers the ability to execute critical documents using two-way audiovisual communication. Current requirements for a signer to physically be in the presence of a Notary are antiquated and unnecessary in a time of heightened awareness and social distancing when COVID-19 is spreading faster than ever across the United States. Twenty-nine states have already recognized the benefits of Remote Online Notarization (RON) and passed legislation authorizing its use.

The SECURE Notarization Act would allow for the immediate nationwide use of RON technology. The legislation provides certainty for interstate recognition of RON and establishes minimum standards to ensure strong consumer protections. Current or future state laws meeting the national minimum standards will supersede this federal law.

A survey conducted by the American Land Title Association of major vendors working in the RON space indicated use of the technology has increased 547% during 2020 when compared to 2019.



## **PRIA 2019-20 Annual Review Posted**

At the close of each fiscal year, Joyce and Co., CPA, conducts a review of the association's financial activities for the year. The 2019-20 Annual Review was first evaluated by the PRIA Financial Oversight Committee for questions and variances, before being presented to the Board of Directors for approval.

On December 16, the board unanimously accepted the recommendation of the Financial Oversight Committee and approved the [2019-20 Annual Review](#) as presented.

## **Registration Opens for 2021 Virtual Winter Symposium**

Registration for the 2021 Virtual Winter Symposium, February 23-25, has been posted to the PRIA [website](#) in both PDF and online formats. Early bird registration is **\$89** for

members and **\$139** for non-members through January 24, 2021. Registration increases to \$109 for members and \$159 for non-members on January 25. To ensure receipt of the Winter Symposium giveaway (It's a surprise!), register by January 24.

Please be sure to fill out **ALL** form fields. PRIA is requesting a preferred mailing address to which to send the special giveaway.

Visit the [Events & News](#) page on the PRIA website for a tentative schedule and sponsorship information.

## Welcome New Members

PRIA welcomed one new member in November.

### Government

Arkansas Circuit Clerk's Association, Hampton, AR

Total paid membership as of November 30, 2020, is 658.

## MAJOR CONTRIBUTORS 2020-21

as of November 30, 2020

### PRESIDENT'S CIRCLE

CSC  
eRecording Partners Network  
Simplifile

### NATIONAL ASSOCIATION

American Land Title Association

### PLATINUM

Kofile Technologies  
MERSCORP Holdings, Inc.  
Pioneer Technology Group

### GOLD MEMBERS

Avenu Insights & Analytics  
Black Knight - Ernst Fee Service  
Computing System Innovations  
CoreLogic  
Esri Inc.  
Fidelity National Title Group  
Granicus Inc.  
Harris Recording Solutions  
Nationwide Title Clearing  
Rekon Technologies  
Synrgo  
Tyler Technologies  
Westcor Land Title Insurance Co.

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**Property Records Industry Association**  
[coordinator@pria.us](mailto:coordinator@pria.us)  
919.459.2081

