

SB109 L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB18-109 be amended as follows:

1 Amend reengrossed bill, page 14, strike lines 19 through 27 and
2 substitute:

3 **"24-21-525. Prohibited acts. (8) (a)** A PERSON SHALL NOT,
4 DIRECTLY OR THROUGH A REMOTE NOTARIZATION SYSTEM, SELL, OFFER
5 FOR SALE, OR USE ANY NONPUBLIC PERSONAL INFORMATION PROVIDED BY
6 AN INDIVIDUAL TO THAT PERSON FOR THE PURPOSE OF VERIFYING THE
7 IDENTITY OF THE INDIVIDUAL IN CONNECTION WITH THE PERFORMANCE OF
8 A NOTARIAL ACT, INCLUDING CREDENTIAL ANALYSIS AND IDENTITY
9 PROOFING, EXCEPT:

10 (I) TO COMPLETE THE NOTARIAL ACT;

11 (II) AS NECESSARY TO EFFECT, ADMINISTER, ENFORCE, SERVICE,
12 OR PROCESS THE TRANSACTION FOR WHICH THE INFORMATION WAS
13 PROVIDED OR IN CONNECTION WITH THE SECURITIZATION OF A FINANCIAL
14 PRODUCT; OR

15 (III) IN ACCORDANCE WITH APPLICABLE FEDERAL AND STATE LAW.

16 (b) THE PROHIBITION ESTABLISHED IN SUBSECTION (8)(a) OF THIS
17 SECTION DOES NOT APPLY WHEN THE PERSON IS CAUSING A BUSINESS
18 DIVESTITURE, SALE, MERGER, OR ACQUISITION OF ITS BUSINESS INTERESTS
19 WITH ANOTHER PERSON AS PERMITTED UNDER APPLICABLE FEDERAL OR
20 STATE LAW WHEREBY THE NONPUBLIC PERSONAL INFORMATION IS BEING
21 TRANSFERRED TO ANOTHER PERSON IN THE DUE COURSE OF THE
22 DIVESTITURE, SALE, MERGER, OR ACQUISITION."

** ** ** ** **