



Chair Barker & Members of the House Committee on Business and Labor,

Thank you for providing the opportunity to submit comments on HB 2425. The Oregon Land Title Association is the professional association for the title insurance industry in Oregon and membership is comprised of both title insurance underwriters and underwritten agent companies. It promotes and maintains the educational, ethical, professional and legislative interests of the industry. OLTA also works with regulators, legislators and the public to make the industry responsive to the evolving needs of customers.

OLTA supports HB 2425 because it broadens the authority of county clerks to record electronic real property documents. HB 2425 builds on a 2011 bill, HB 3195 (Or Laws 2011, c. 386) which authorized county clerks to record scanned images of signed and notarized paper originals.

HB 2425 takes the next step forward by allowing the recording of electronic documents. These are documents that are generated electronically, signed and notarized electronically and submitted to the clerk electronically. Indeed, under this bill, an electronic document may have no need to ever have a paper existence. Under current law, the submitter of an imaged document must certify that the paper document is signed and notarized. HB 2425 will require a similar certification process for electronic documents and their electronic signatures.

While we understand that the committee may be moving the bill in its current form, OLTA also supports the addition of curative provisions for electronic document recordings that may have occurred before HB 2425 takes effect. In 2011, HB 3195 contained just such provisions, so the association believes it is appropriate to follow that precedent.

The recording process for scanned documents has been in place for nine years. It has been adopted by nearly all Oregon counties. The process works well and has added considerable convenience to recordings by title companies. It is time to widen that doorway and move to a recording process that reduces the use of paper.

Thank you.

Submitted by Cleve Abbe, Chair, OLTA Legislative Committee

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