

LEGISLATIVE BILL 94

Approved by the Governor March 31, 2021

Introduced by Government, Military and Veterans Affairs Committee: Brewer, 43, Chairperson; Halloran, 33; Hunt, 8; Lowe, 37; Pahls, 31; Hansen, M., 26.

A BILL FOR AN ACT relating to the Online Notary Public Act; to amend section 64-401, Revised Statutes Cumulative Supplement, 2020; to prohibit invalidation of certain online notarial acts performed pursuant to Executive Order No. 20-13 and certain written instruments for the conveyance or encumbrance of real estate; to harmonize provisions; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 64-401, Revised Statutes Cumulative Supplement, 2020, is amended to read:

64-401 Sections 64-401 to 64-418 and sections 2 and 3 of this act shall be known as the Online Notary Public Act.

Sec. 2. No otherwise valid online notarial act performed on or after April 2, 2020, and before July 1, 2020, pursuant to the Governor's Executive Order No. 20-13, dated April 1, 2020, shall be invalidated because such act was performed prior to the operative date of Laws 2019, LB186.

Sec. 3. No deed, mortgage, trust deed, or other instrument in writing for the conveyance or encumbrance of real estate, or any interest therein, shall be invalidated because it involved the performance of an online notarial act on or after April 2, 2020, and before July 1, 2020, pursuant to the Governor's Executive Order No. 20-13, dated April 1, 2020. Such deed, mortgage, trust deed, or other instrument in writing is declared to be legal and valid in all courts of law and equity in this state and elsewhere.

Sec. 4. Original section 64-401, Revised Statutes Cumulative Supplement, 2020, is repealed.