



**Escrow Association of Hawaii**  
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JUDtestimony@Capitol.Hawaii.gov  
House of Representatives  
Committee on Judiciary  
415 South Beretania Street, Room 325  
Honolulu, Hawai'i 96813

**LATE TESTIMONY**

**Re: TESTIMONY OF THE ESCROW ASSOCIATION OF HAWAII  
CONCERNING HB 3053, RELATING TO NOTARIES PUBLIC**

Representative Tommy Waters, Chair and Committee members:

The Hawaii Escrow Association represents all eleven escrow companies in the State of Hawaii. The Escrow Association of Hawaii supports HB 3053, Relating to Notaries Public except for the proposed Section 456- **Failure to authenticate with certification statement (a)(5)**.

Our Association wishes to point out the issues that will arise in recording any notarized document with the Bureau of Conveyances and complying with its rules and regulations regarding recording standards. Presently, the Bureau of Conveyances requires that the total number of pages be inserted on the document by the party submitting said document for recording.

The proposed HB 3053 has not taken into consideration that a considerable amount of documents deposited with the Association members are presently being executed in counterpart, thereby creating additional pages that may be added to the document being acknowledged by the Notary Public. Therefore there is a possibility of having the document become invalid for recording purposes, which may result in a delay in closing and possible non compliance of the time frame set by the parties in connection with any contractual agreement made by them.

In addition, another question will arise as to how many documents scheduled to be recorded are notarized by an out of state notary and what effects this will have in their ability to record documents properly in our state. This will effect transaction that are handled both by the escrow companies in our state and those documents that are mailed directly to the Bureau of Conveyances for recordation.

It is our Association's strong recommendation that any document that will be submitted for recording with the State of Hawaii Bureau of Conveyances be exempt or have this provision be removed in its entirety from the proposed Section 456 - **Failure to authenticate with certification statement (a)(5)**.

Respectfully submitted,

ESCROW ASSOCIATION OF HAWAII

By: Denise M. Kaehu  
It's President