**South Dakota Electronic Recording Commission**

**Teleconference Meeting**

**Tuesday, January 19, 2021 9:00 am MT / 10:00 am CT**

**MINUTES**

The South Dakota Electronic Recording Commission members participated in the meeting via a teleconference/audio link on Tuesday, January 19, 2021. The meeting was called to order at 10:02 am CT / 9:02 am MT.

Roll call was held and quorum established with the following South Dakota Electronic Recording Commission Members present:

Erika Olson, Chair – South Dakota State Bar Association Representative

Greg Wick, Vice Chair – South Dakota Land Title Association Representative

Lana Anderson – Meade County Register of Deeds

Donna Mayer - Pennington County Register of Deeds

Donald Straka - South Dakota Bankers Association Representative

Mitch LaFleur – South Dakota Land Title Association Representative

Monte Watembach – Information Technology Professional – Non-voting member

Kris Jacobsen – SDACO Deputy Director – Non-voting member

Absent: Deb Young – Davison County Register of Deeds

Traci Radway – Haakon County Register of Deeds

Julie Risty – Minnehaha County Register of Deeds

A motion to approve the January 30, 2020 Minutes was made by Donna Mayer, seconded by Donald Straka. With no abstention or opposition, motion carried by unanimous roll call vote.

A motion to approve the January 19, 2021 Agenda was made by Mitch LaFleur, seconded by Greg Wick. With no abstention or opposition, motion carried by unanimous roll call vote.

Discussion ensued regarding E-Recording Administrative Rules review. Each member organization responded with no issues / changes at this point in time.

The committee discussed, in detail, the proposed amendments to the Remote Notarization Statute (SDCL 18-1-11.1) being proposed by the SD Land Title Association. The amendment was drafted to clarify and clean up the current statute language. Consensus was that the proposed amendments do not impact electronic recording and so are not technically within the purview of the Commission and so do not require Commission approval or action but the Commission is willing to provide feedback on the drafting to SDLTA.

At this point, Julie Risty, Minnehaha County Register of Deeds joined the meeting.

A motion to support this draft legislation with the addition of the word “video” before communication technology into Section 1, subparagraph (4) was made by Donna Mayer, seconded by Julie Risty. Following further discussion about concerns with the definition of “personal knowledge” within Section 2, Donna Mayer withdrew her motion. Greg Wick and Mitch LaFleur will go back to the Land Title Association with comments and concerns voiced by the E-Recording Commission on using the term “video communication technology” consistently and working on the definition of “personal knowledge.” This commission will review any redrafted legislation upon request.

Other Business: No date set for next meeting. Legislation is being watched and a conference call will be set if needed.

Public Comment: None

Chair Erika Olson adjourned the meeting at 9:46 a.m. MST/10:46 a.m. CST.