



State of Wisconsin
2023 - 2024 LEGISLATURE

LRBs0198/1
ARG:cjs

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 659**

December 5, 2023 - Offered by Representative SUMMERFIELD.

1 **AN ACT** *to renumber and amend* 140.145 (10) (c); and *to create* 140.145 (10)
2 (c) 2. of the statutes; **relating to:** notarial acts performed for remotely located
3 individuals.

Analysis by the Legislative Reference Bureau

This bill allows a notary public to perform a notarial act for a remotely located individual involving the creation and execution of a limited financial power of attorney for a real estate transaction.

Under current law, the Department of Financial Institutions issues commissions to notaries public. If certain conditions are satisfied, a notary public may perform a notarial act with respect to an individual who is not in the physical presence of the notary public (remote notarization). However, remote notarization is not available for certain transactions, including transactions governed by laws relating to the creation and execution of wills and trusts; marital property agreements; health care powers of attorney; and other powers of attorney unless the transaction is between two or more persons relating to the conduct of business, commercial, or governmental affairs.

