Title Chat

Volume 47
April 2006

Two Steps Closer To Electronic Recordings

In November 2003 we chatted about federal and state legislation that would give legal recognition to documents signed electronically. It appears that the legislation did not provide for the recording of electronically-signed documents. Different groups in the real estate industry have been working to provide a legal and technological basis for accepting electronically-executed documents for recording.

The National Conference of Commissioners on Uniform State Laws has adopted two new model acts: The "Uniform Electronic Transactions Act" provides county clerks and recorders with the authority to accept for filing electronic real property documents. This act has been adopted in the 50 states except for Georgia, Illinois, New York and Washington.

The other model act is titled "The Uniform Real Property Electronic Recording Act" and provides policy analysis and detailed guidance to state legislatures regarding developing technological standards for electronic recording. This act has been adopted in Arizona, Delaware, the District of Columbia, North Carolina and Texas. It is being considered this year in California, Florida, Kansas, Kentucky, Massachusetts, Missouri, New Mexico and Virginia.

Two steps closer . . . .

Title Chat is published monthly by North American Title Insurance Corporation, a member of the North American Title Group of companies for distribution to North American Title Group's employees and customers. Topics will include closing issues, title and title insurance issues and title insurance business issues; and are intended to make the reader aware of the issues discussed. It should not be construed as giving a legal opinion on the issues being discussed; but rather as addressing situations encountered in its business and sometimes offering solutions based upon applicable case or statutory law that the reader may be unaware of. North American Title Insurance Corporation assumes no liability for any incorrect statements made herein.

North American Title Insurance Corporation 790 N.W. 107 Avenue, Suite 117, Miami, Florida 33172
305-559-5656 FAX 305-229-6540