

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

S.XX

Senator Sears moves that the bill be amended by adding a new Sec. XX to read as follows:

Sec. XX. 14 V.S.A. § 3503 is amended to read:

§ 3503. EXECUTION

(a) A power of attorney shall be signed by the principal in the presence of at least one witness and shall be acknowledged before a notary public, who shall be a person other than the witness.

* * *

(f)(1) During the period that the Emergency Administrative Rules for Remote Notarial Acts issued by the Vermont Secretary of State (the Emergency Rules) are in effect, the witness to a power of attorney signed in conformity with the Emergency Rules and pursuant to this section shall be considered to be in the presence of the principal whether or not the witness is physically present with the principal or the notary. A power of attorney executed pursuant to this subsection may be recorded in the land records.

(2) A power of attorney executed in compliance with the Emergency Rules shall be presumed to be valid if the notarial certificate attached to the power of attorney contains an affirmative statement of compliance with the Emergency Rules.