



August 10, 2022

The Honorable Jena Griswold
Secretary of State
State of Colorado
1700 Broadway, Suite 200
Denver, CO 80290

Re: Notary Program Rule 8 CCR 1505-12 – Prohibition of Translator Services 2.3.1 and 2.3.2

Dear Secretary Griswold,

On behalf of the Colorado Bankers Association (CBA), this is the second letter written to your office voicing our deep concerns regarding steps to restrict the use of translators in the notary process. In January 2022, in partnership with the Land Title Association of Colorado, we reached out to you by letter with the intent to bring to your attention the issues and barriers created by limiting access to translators in the notary process.

Prior to July 1, 2022, the rule in place mandated that a notary public may not use a translator or translator service to communicate with the individual for whom the notary is performing the notarial act. Now, your office has temporarily adopted rules effective July 1, 2022, that further restricts equitable access to notary services.

We wish to meet with you and your staff to share with you valid business concerns regarding this new rule and to dialogue in a manner to create positive outcome for Colorado communities. We strongly believe the unintended consequences of the rule adopted last year and the rules that are now under consideration affect not only business across Colorado but minority communities across Colorado in their daily lives.

One Sherman Place
140 East 19th Avenue, Suite 400
Denver, Colorado 80203-1033

Fax 303.825.1585
www.coloradobankers.org
www.smallbizlending.org
www.financialinfo.org
www.amplifybankers.com

*"Creating a stronger economy and
helping Coloradans realize dreams
by building better banks."*

Notary Letter to Secretary Griswald
August 10, 2022

The proposed rule states:

2.3 Communication

2.3.1 A notary public must be able to communicate directly with, be understood by, and understand the individual for whom the notary public is performing a notarial act.

2.3.2 With the exception of use of an interpreter for deaf, hard of hearing, or deafblind individuals, a notary public may not use an interpreter, a translator, or related services to communicate with the individual for whom the notary public is performing a notarial act. This prohibition applies to all methods of notarization, including electronic and remote notarization, authorized by The Revised Uniform Law on Notarial Acts (Title 24, Article 24, Part 5, C.R.S.).

The initial rule created significant impact to the business community and minority communities. We have provided examples and continue to collect examples from our membership. This further restriction of access to notarial services is a disservice to Coloradans of all economic levels but especially those in the lowest economic and social sectors. This rule, if fully enacted, creates an unintended and unfortunate discriminatory outcome.

Once again, we implore you to reconsider this far-reaching step and to implement a more measured approach to notary services for all Coloradans.

We look forward to the opportunity to meet with you and your staff.

Thank you.

Sincerely,



Jennifer Waller
President and CEO