



SOTTILE & BARILE
ATTORNEYS AT LAW

**INDIANA HOUSE
ENROLLED ACT
(HEA) 1056**

Today, House Enrolled Act 1056 was signed into law by Indiana Governor Eric Holcomb.

As you may or may not know, Indiana law was changed in July 2020 to require any instrument which was going to be recorded – including a mortgage or deed – to have two acknowledgments from a notary. The first acknowledgment was of the grantor and the second was of a disinterested witness who was present at the transaction.

This second part, the witness requirement, was an unintended consequence of a one word change in the existing law from “or” to “and.” From the moment it went into effect, several legislators as well as organizations, including the Indiana Mortgage Banker’s Association, have worked towards correcting this situation.

As a result, HEA 1056 was passed and presented to Governor Holcomb for his signature. This act returns the notary requirements to pre-July, 2020 law, where an acknowledgment of the grantor is sufficient on a conveyance or mortgage that will be recorded.

The effective date of the law is immediate with Governor Holcomb’s signature today.

Should you have any questions, please contact Susan Klineman, Partner, at susan.klineman@sottileandbarile.com