



Alison Lundergan Grimes Secretary of State

[Notarization](#)

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Goal of Remote Notarization Task Force

“To gather relevant information and help members better understand the remote notarization process”

Members of Task Force

- Co-Chair: **Tom Schedler**, Louisiana Secretary of State
- Co-Chair: **Alison Lundergan Grimes**, Kentucky Secretary of State
- Hon. **Mark Martin**, Arkansas Secretary of State
- Hon. **Connie Lawson**, Indiana Secretary of State
- Hon. **Paul Pate**, Iowa Secretary of State
- Hon. **Matt Dunlap**, Maine Secretary of State
- Hon. **John Wobensmith**, Maryland Secretary of State
- Hon. **Steve Simon**, Minnesota Secretary of State
- Hon. **Linda McCulloch**, Montana Secretary of State
- Hon. **Elaine Marshall**, North Carolina Secretary of State
- Hon. **Al Jaeger**, North Dakota Secretary of State
- Hon. **Pedro Cortés**, Pennsylvania Secretary of State
- Hon. **Jim Condos**, Vermont Secretary of State



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What are states doing?

(1) Traditional Notarization

- Physical Presence
- Wet Signatures
- Wet Notarization

(2) Electronic Notarization

- Physical Presence
- Digital Signature
- Digital Notarization

(3) Remote Notarization






- Live Video Presence
- Digital Signature
- Digital Notarization

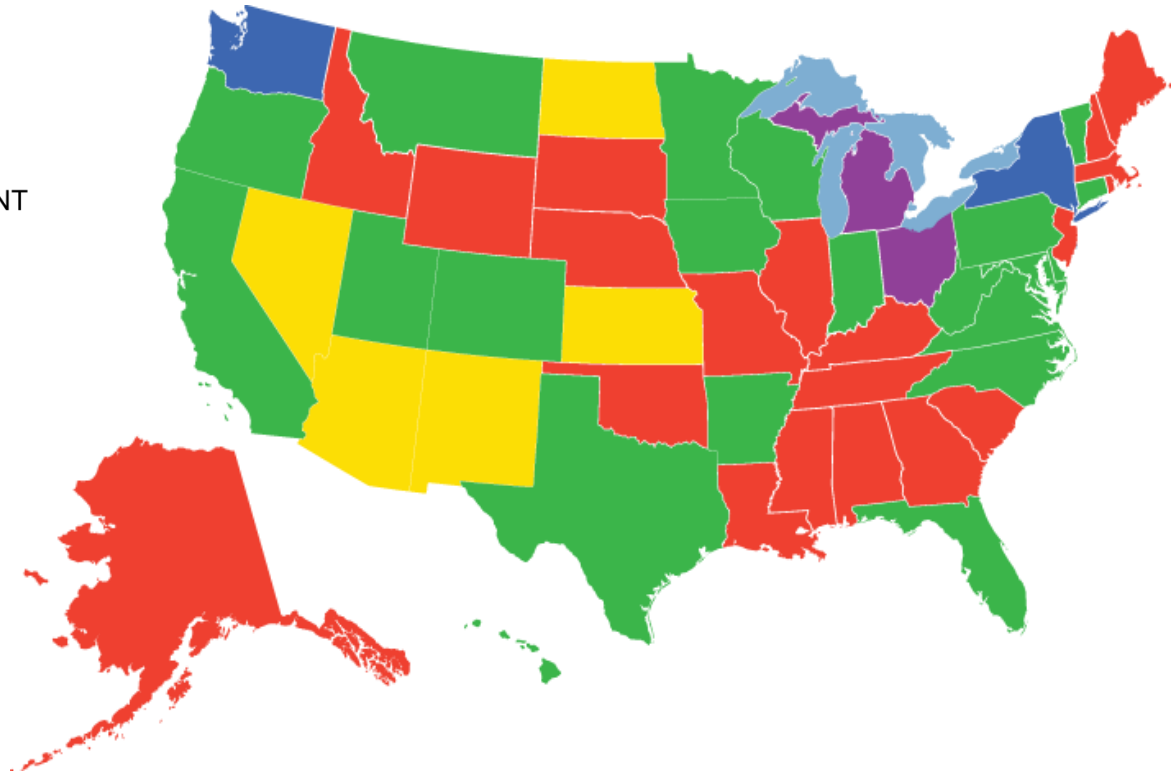


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Status of eNotarization in the United States

-  TODAY
-  LEGAL BUT DORMANT
-  NOT TODAY
-  POTENTIAL
-  REAL PROPERTY





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E-Notarization – Face to Face Only

- **Arizona**
- **Colorado**
- **Florida**
- **Iowa**
- **Maryland**
- **Michigan**
- **Minnesota**
- **North Carolina**
- **Ohio**
- **Oregon**
- **Pennsylvania**
- **Texas**
- **Utah**
- **Wisconsin**
- **West Virginia**

E-Notarization – Real Property Transactions Only

- **New York**
- **Washington**

Remote Notarization

- **Montana**
- **Virginia**



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How did other states implement eNotarization?

- **Adoption of Uniform Electronic Transactions Act (UETA) (1999)**
 - Arkansas, Maryland, Texas, Utah, Vermont
- **Adoption of Revised Uniform Law on Notarial Acts (RULONA)(2010)**
 - Montana (admin. regs. pending)
- **Combination of UETA & RULONA**
 - Iowa
- **Combination of Legislation, Regulation, and Model Code**
 - California, Colorado, Florida, Minnesota, New Mexico, North Carolina, Oregon, Pennsylvania, Virginia, West Virginia



Considerations of Remote Notarization

Pros:

- Finding a Notary
 - Military & Overseas Transactions
 - “After Hours” Transactions
- Knowledge Based Authentication
- Digit Audit Trail
- Safety of Individuals & Notary Officers

Cons:

- Security of Personal Information
- Coercion



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Potential Safeguards for Remote Notarization

- **Limit the scope of the application and set forth requirements to assure the identity of the remote individual and the security of the communication.**
- **Authorize the Secretary of State or other commissioning officer or agency to adopt rules regarding the performance of the notarial act for a person located outside the United States.**



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Uniform Law Commission Amendment to Notarial Acts Act

- Changes: This authorizes notaries public to perform notarial acts in the state in which they are commissioned for individuals who are physically located outside the United States.
- Purpose: Communication technology and third-party identity proofing be utilized to allow individuals who are physically located outside the United States to communicate with, and be identified by, a notary public in a state adopting this amendment.



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Remote Notarization Task Force – Next Steps:

- **Nashville Convention Education & Feedback from Secretary of States**
- **Additional Outreach to Effected Entities & Partners**
- **Conference Following Uniform Law Commission Recommendation on eNotarization &/or Remote Notarization**