



RON in Arkansas

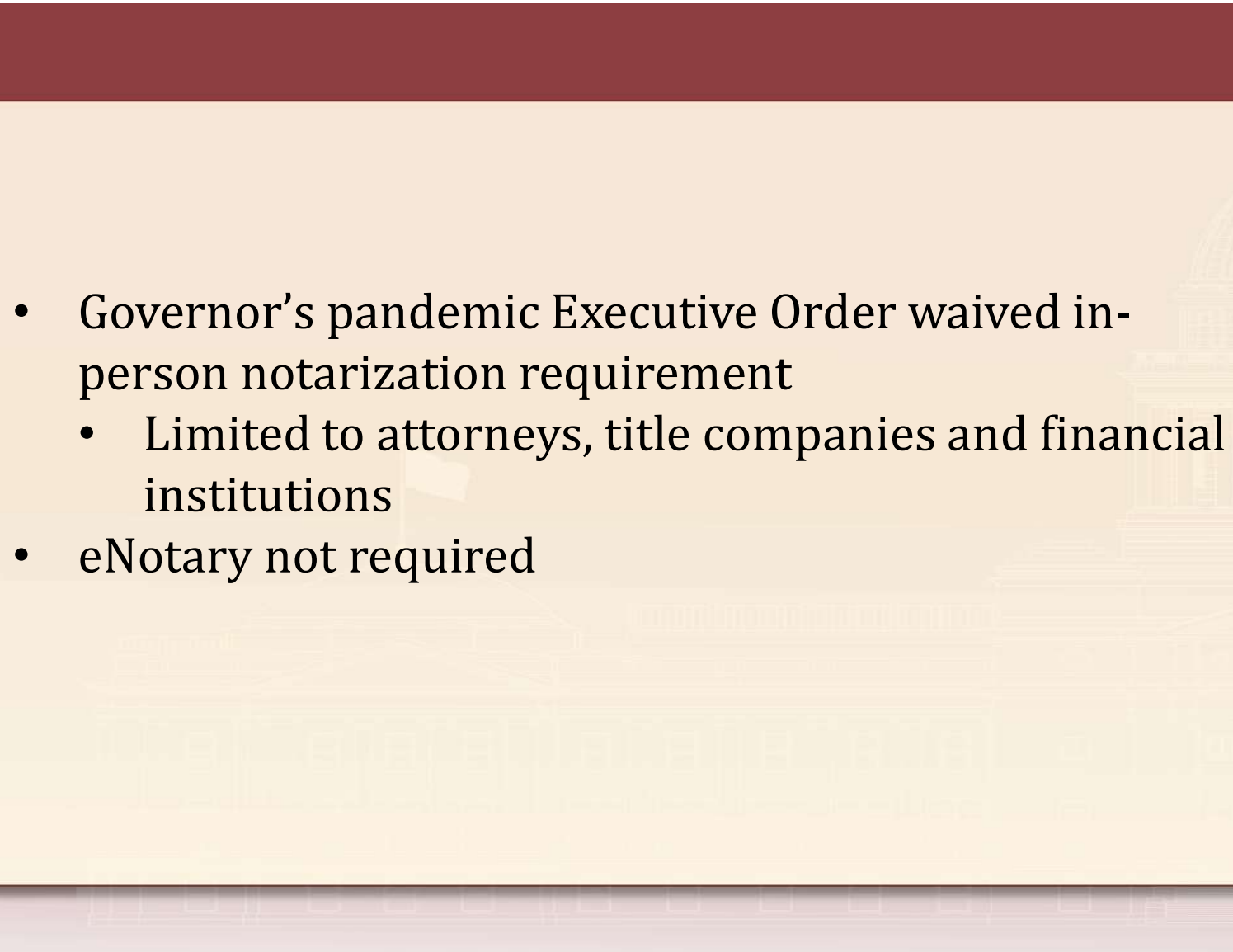
NASS 2023

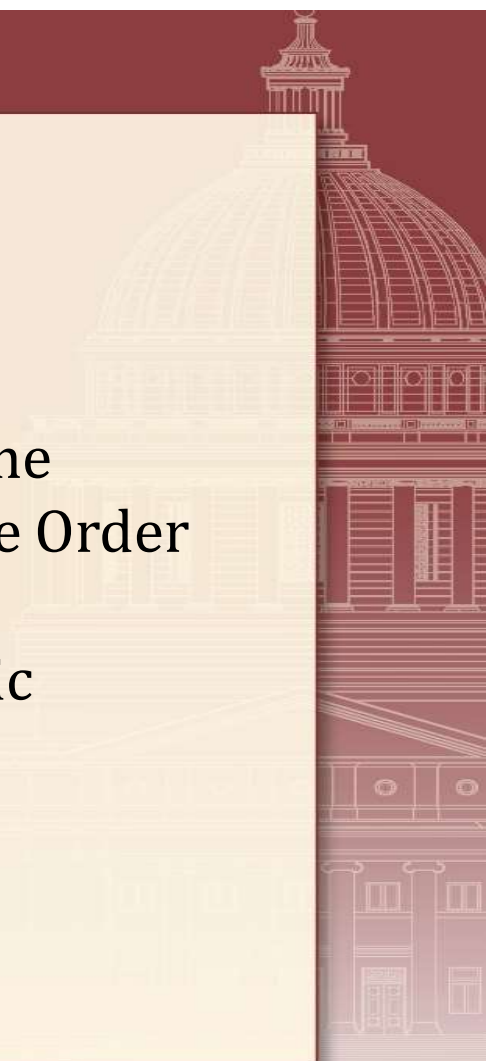


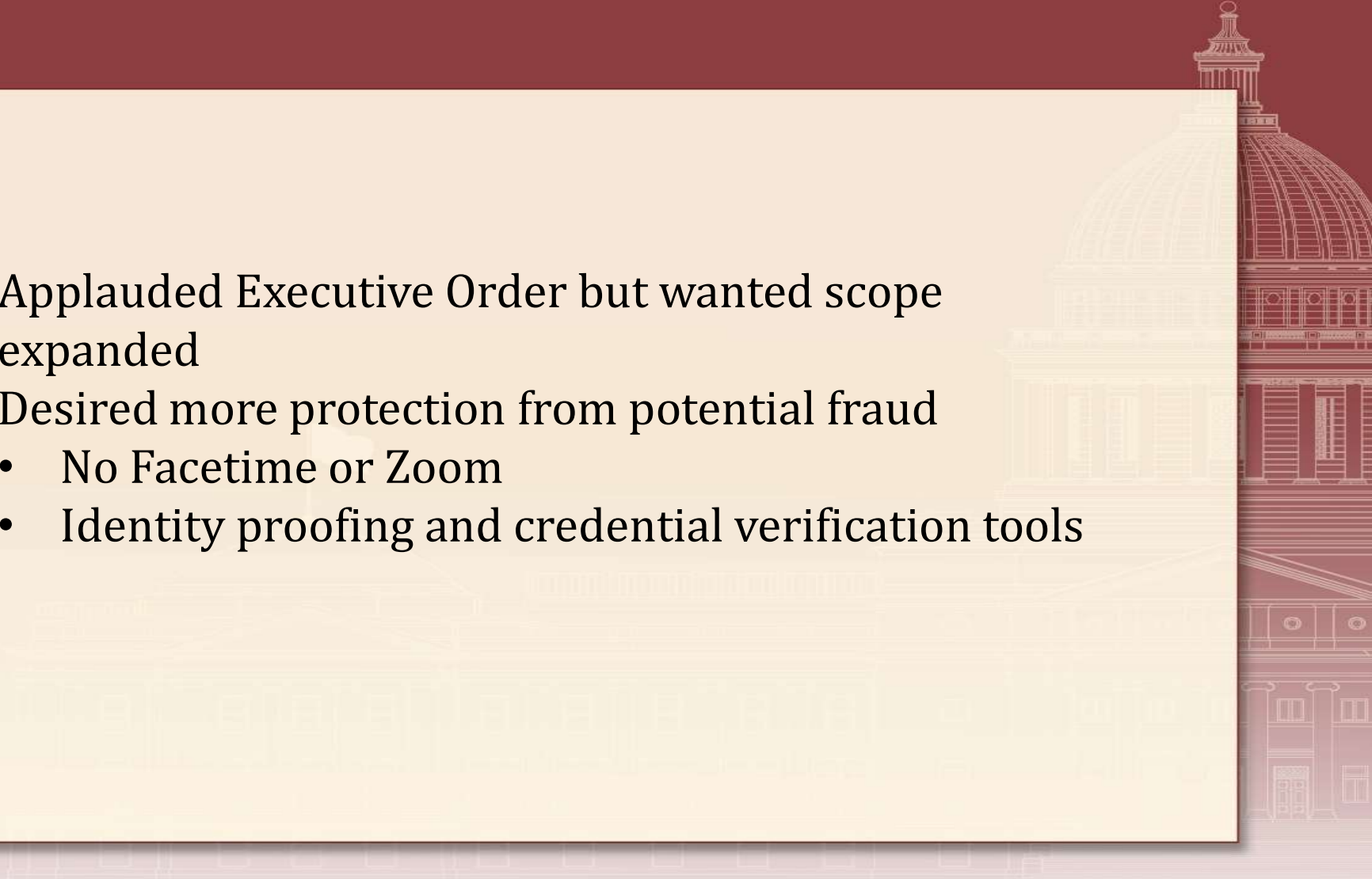
ARKANSAS
SECRETARY OF STATE
John Thurston

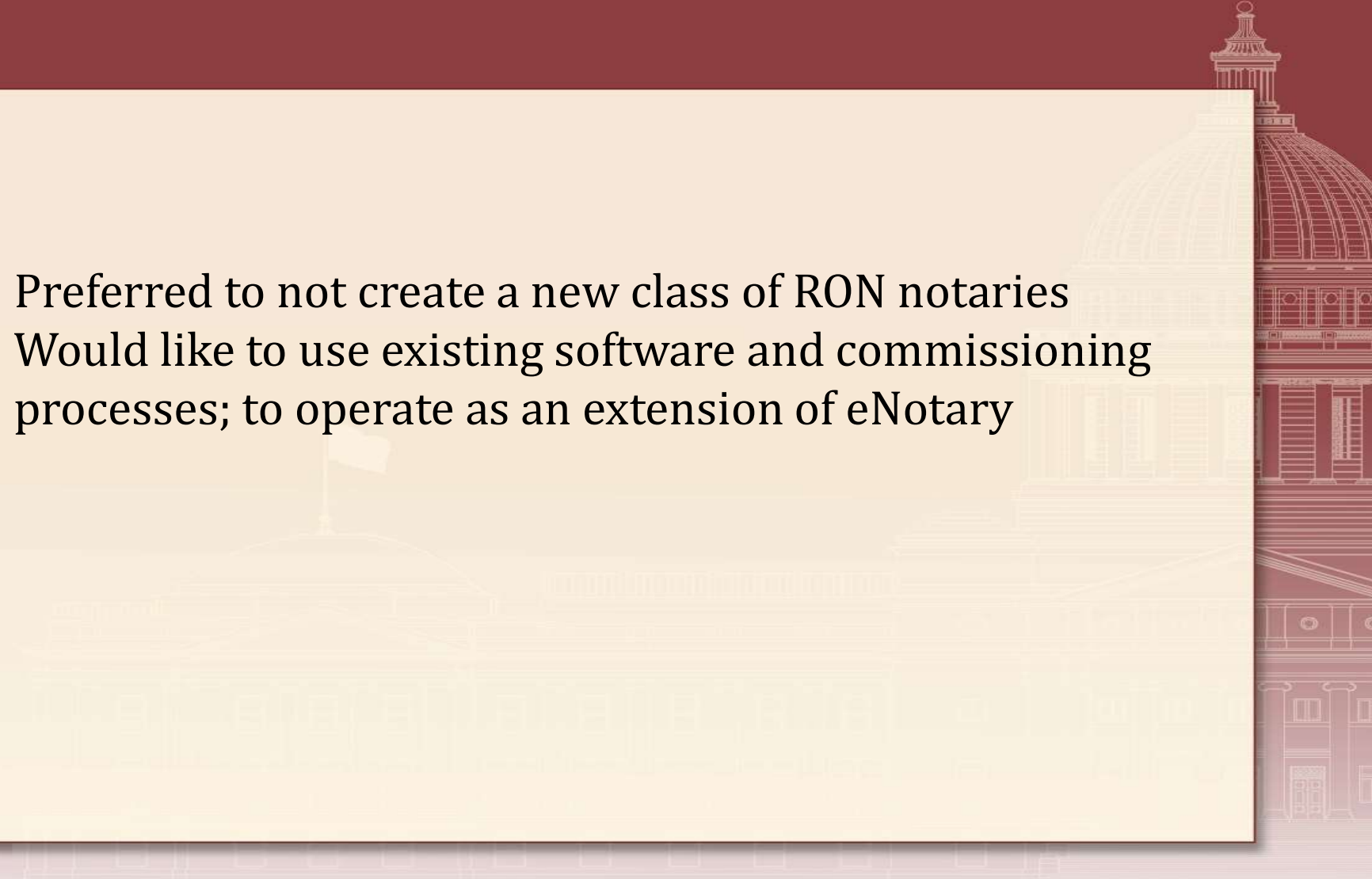
- 10 year commission period for notaries
 - eNotary commissions coterminous
- eNotary refresher training & exam required every 2 years
- eNotary application is completed online
- 50,000 notaries in good standing

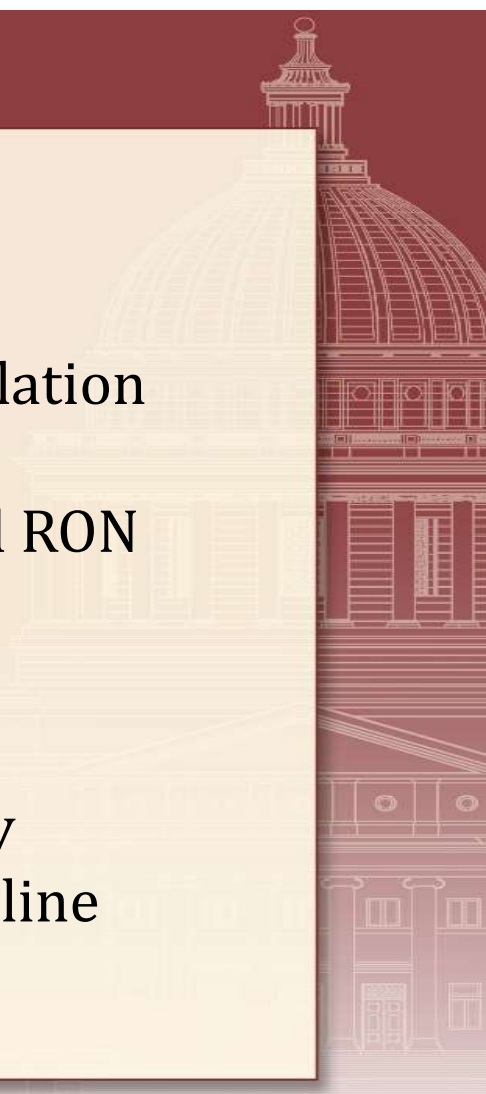


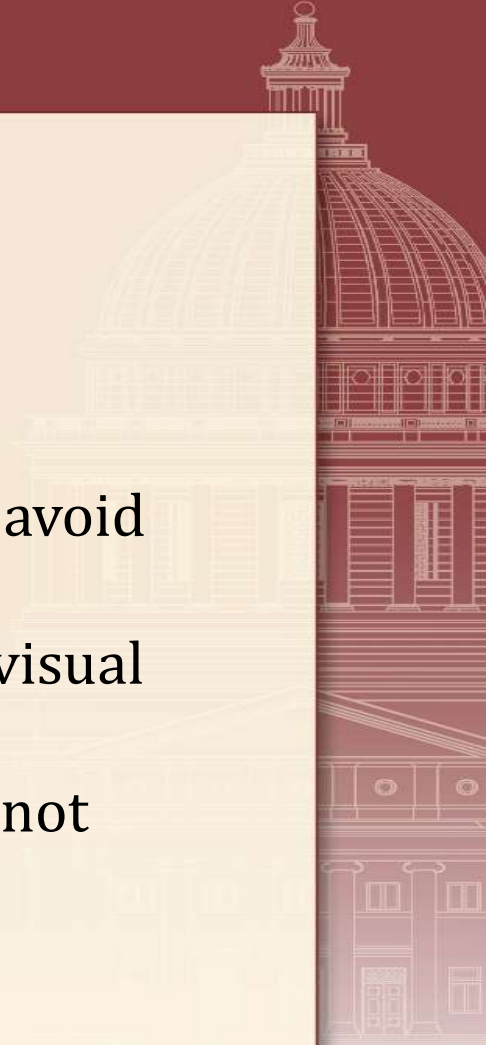
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- Governor's pandemic Executive Order waived in-person notarization requirement
 - Limited to attorneys, title companies and financial institutions
 - eNotary not required


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- 90 Arkansas eNotaries in good standing
 - Signer must physically appear and sign before the eNotary and identity must be verified (Executive Order exceptions)
 - eNotary must use one of five approved electronic solution providers

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- Applauded Executive Order but wanted scope expanded
 - Desired more protection from potential fraud
 - No Facetime or Zoom
 - Identity proofing and credential verification tools

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- Preferred to not create a new class of RON notaries
 - Would like to use existing software and commissioning processes; to operate as an extension of eNotary

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- Replaced Executive Order with permanent legislation
 - Allows Arkansas eNotaries in good standing to perform remote notarization when an approved RON solution provider is utilized
 - eNotary must be in Arkansas during RON but principal/signer can be elsewhere
 - Same type of notarial acts that are performed by notaries public may be performed by remote online notaries

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- 7 RON solution providers approved
 - Providers must be MISMO certified*
 - Number of solution providers capped at 7 to avoid confusion
 - Solution providers required to retain audio/visual recording of notarization for 5 years
 - eNotary commissioning process & software did not change
 - Penalties for fraud increased (Class D Felony)

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- Robust acceptance and no reports of potential fraud
 - Number of eNotaries has increased to 646 (2 applications per day)
 - eNotary can opt to not utilize RON but must be in physical presence of the signer and confirm their identify
 - Arkansas requirements are more stringent than the federal legislation being considered