

# Remote Notarization Per State

| <b>State</b> | <b>Remote Notarization Allowed</b> | <b>Requirements to Become a Remote Notary</b> | <b>Temporary Work Arounds</b>   | <b>Electronic Notarizations</b>  |
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| California   | No                                 | N/A   |   | California notaries can perform electronic notarizations as long as the requirements for paper based acts are met, with the exception of two documents - acknowledgements and jurats. Those two documents must be in person. <i>See Cal. Sec'y State, Notary Public Handbook (2018)</i>  |
| Colorado     | Bill introduced                    | N/A   | On March 28, 2020, the Governor authorized remote notarization pursuant to the Article IV, Section 2 of the Colorado Constitution and relevant portions of the Colorado Disaster Emergency Act, C.R.S. 24-33.5-701, temporarily suspending the requirements of personal appearance before a notary due to the presence of COVID-19. | Colorado allows electronic notarizations. The notary has to use a tamper-evident technology and must notify the Secretary of State that the notary will be performing notarial acts on electronic records and identify the technology the notary intends to use. The technology must conform to the standards established by the Secretary of State. <i>See Colo. Sec'y State, Notary Handbook (rev. Jan. 2018).</i> |
| Delaware     | No                                 | N/A   |   | Electronic notarizations have to be performed by an eNotary, but applications are not yet being accepted.  |

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| Florida   | Yes | Four hour online course through FLTA, registration with the Florida Department of State as an online notary public, and use of an approved vendor to perform the online notarizations.   |  | Florida allows electronic signatures, but the person has to be in the presence of the notary for the notary to apply his or her seal. See Fla. Gov., Performing Electronic Notarizations.  |
| Georgia   | No  | N/A  |  | Georgia allows electronic signature notarization. Section 11 of the Georgia statutes states that any person authorized to perform a notarial act may use electronic signatures as defined by UETA.   |
| Illinois  | No  | N/A  |  | There are no means for electronic notarizations, but the Illinois Legislature established a task force that is required to report its findings no later than June 30, 2020.  |
| Minnesota | Yes | The notary must register with the Secretary of State and certify that the notary intends to use communication technology that conforms to the State's standards. The notary can only perform online notarizations while physically located in Minnesota. |  | Electronic notarizations are permitted. The notary must register to notarize electronically with the Secretary of State during each commission cycle. The person making the statement or executing the signature must appear personally before the notary. |

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| Nevada     | Yes             | Must use audio-video communication platform. The notary must be a notary for at least 4 years prior to applying to the Secretary of State as an electronic notary, complete an electronic notary training course, obtain an electronic signature and seal from an approved eNotary technology provider, and upload the pdf file containing his or her electronic signature with the application. |   | Electronic notarization is permitted, subject to registration of the notary with the Secretary of State. The person who's signature is being notarized must be in the presence of the notary. |
| New Jersey | Bill introduced | N/A  | New Jersey introduced Measure A-3864, which allows remote notarization if the notary has personal knowledge of the person's identity, verification of identify by proof by oath or affirmation of a witness, and two different types of identity to obtain satisfactory evidence of the principal. The notary would be required to make a video of the notarial recording and retain it for 10 years. | N/A   |

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| New York       | Temporarily pursuant to Executive Order 202.7 | Bill introduced to allow electronic notarizations, but no action has been taken on the bill (A04076B). | Pursuant to Order 202.7, a notary may notarize a document using audio-video technology, provided that it is live. The document is transmitted by electronic means after the principal has signed. The notary then affixes his or her stamp. The original MUST be provided to the notary within 30 days. The notary is also required to keep a log of all remote notarizations. | See "requirements to become a remote notary"  |
| North Carolina | No  | N/A  |  | Electronic notarizations are allowed. A notary must take a three hour electronic notary course and exam before submitting a registration with the Secretary of State. Then the notary must obtain an eNotary solution from a provider. The principal and notary must be in the same location. |

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| Pennsylvania | Bill introduced | N/A | <p>Senate Bill No 1097 introduced to the Senate on March 23, 2020, once passed would allow for remote notarization. As yet the bill is not passed. Additionally, House Bill 1654, if passed, will allow a notary to perform remote notarizations in a manner as the New Jersey bill provides for.</p> <p>The Governor has approved a waiver temporarily suspending the personal appearance requirement in current state law to allow a notary to remotely notarize all commercial real estate transactions, including those already in process as well as new ones, and personal real estate transactions that were already in process prior to the outbreak.</p> <p>All notaries that want to use audio-video technology for personal appearance must become an approved Pennsylvania electronic notary by submitting a free application <a href="#">here</a>, use an e-notary provider approved by the Department of State; and indicate in the notary certificate that the notarial act was performed by means of communication technology: "This notarial act involved the use of communication technology."</p> | Electronic notarizations are allowed. A notary must apply for e-notary status and select one or more State approved tamper evident technology platforms. |
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| South Carolina | Bill introduced   | N/A   |  | N/A   |
| Texas          | Yes   | Application to the Secretary of State and use audio-video conference by a provider.   |  | Electronic notarizations are allowed. The principal needs to be present in front of the notary.   |
| Virginia       | Yes   | Registration with the Secretary of State to perform electronic notarizations is required. Prior to registration, the notary must purchase an electronic seal from a provider and submit a completed electronic notary application. Notarizations must be performed with audio-video technology. |  | Electronic notarization is permitted, but the same requirements for a remote notary are required. The principal may be present with the notary or via audio-video conference technology.  |
| Washington     | Bill passed and will be effective October 1, 2020. There is a temporary bill (SB641) allowing remote notarization for 30 days beginning March 27, 2020. | When the bill passes, the notary has to notify the Department of Licensing that he or she will be performing notary acts and identify the technology he or she intends to use.  | The Governor authorized use of electronic notarization for a temporary period of 30 days beginning March 27, 2020. The notary still needs to register to become an e-notary and perform the notarial act using the audio-video technology. | An endorsement from the Department of Licensing to perform electronic notarial acts is required. The notary must inform the Department of Licensing within 30 days of applying the tamper-evident technology provider he or she intends to use and enroll with that provider prior to the first notarial act. When performing the notarial act, the notary must be physically in the state of Washington. Electronic notarial acts must conform to the requirements of physical appearance before the notary. |

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| Washington, DC | No | N/A |  | D.C. Law 22-189 allows for electronic notarizations, subject to the implementation of the electronic notarization program, which is yet to be funded. Further, the notary is required to complete a training course provided by the Mayor, and take an oath, identify the tamper-evident technology the notary intends to use, and file an exemplar of the notary's electronic signature and official seal. |
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