

**Bill Summary**  
1<sup>st</sup> Session of the 57<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB 915</b>
<b>Version:</b>	<b>HASB</b>
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**Bill Analysis**

SB 915 creates the Remote Online Notary Act. The measure authorizes notary publics to certify electronic documents. The notary is required to verify that the document is in a tamper-evident format and contains no signature related errors. The notary must also personally print the paper and ensure no changes are made other than indicating the document is certified by the notary. The certified document may then be submitted to state or county officials if a certified document is required. This measure does not apply to a plat, plan, map, or survey of real property in certain circumstances. Nothing in the measure authorizes a notary to take testimony, certify transcripts, or otherwise exercise any authority of a certified or licensed shorthand reporter.

The Secretary of State (SOS) is directed by the measure to promulgate rules governing electronic document certification. The rules will address what tools may be used to validate documents, storage of electronic documents, creating forms for remote online notarizations, and other matters deemed necessary by the SOS. The SOS may use national entities for guidance. The rules may be amended or repealed.

Notaries must register with the SOS to receive authorization to conduct remote notarization and pay a fee of \$25.00 to the Secretary's office. Applicants must submit a form containing information as required by the measure. Submitted notarizations may be denied by the SOS if the SOS deems the technology insufficient or if the notary violated any rule promulgated under this measure or if the notary violated current laws and rules governing professional behavior.

A notary public renewing his or her commission shall also constitute a renewal of his or her authority to notarize electronic documents. A notary public shall maintain a journal in a permanent, tamper-evident electronic format complying with standards promulgated by the SOS in which the notary public chronicles all remote online notarial acts that the notary public performs. The notary public is further required to create an audio and visual recording of the performance of each remote online notarial act. The measure also provides for procedures to follow upon certain termination of the notary public's commission.

**House Amendments**

House Amendments to SB 915 adds clarifying language regarding a notary exercising the authority of a certified or licensed shorthand reporter, updates statutory references, and updates current law to reflect the changes made by the measure.

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