

## eClosing State (Online) Notary- Is online notary permitted?

<b>DEFINITIONS:</b>	<p><b>Notary:</b> Unless otherwise indicated, "Notary" means a notary licensed by the specific state noted, not a notary licensed in another state.</p> <p><b>Out-of-State Notary:</b> means a notary licensed in another state. Such Out-of-State Notary may or may not be physically located in the state where he/she is licensed when he/she notarizes the signature.</p> <p><b>In presence of:</b> means the signer and the notary are performing the action of signing (including any required witnesses) and all required notarial acts via an approved video or webcam conference technology.</p> <p><b>No SOS guidance:</b> state Secretary of State regulations are silent regarding this activity.</p> <p><b>RULONA:</b> Unless otherwise indicated, "RULONA" means the Revised Uniform Law on Notarial Acts.</p> <p><b>Yes:</b> Online notarization is permitted by state law or SOS regulation.</p> <p><b>No:</b> Online notarization is prohibited by law or SOS regulation.</p>
<b>STATE</b>	In addition to this chart, a related Bulletin sets forth specific requirements for issuance of title insurance.
	<p><b>1. This chart applies to situations where:</b></p> <p><b>2. The Signer is located in this State and eSigns in presence of a Notary licensed in this State.</b></p> <p><b>3. The Signer is located in another state (within U.S.) and eSigns in the presence of Out-of-State Notary.</b></p> <p><b>4. State law allows electronic filing of real property documents ("eRecording")</b></p>
<b>Alabama</b>	<p>Alabama recently adopted what is now Act 2021-319, which becomes effective July 1, 2021. It is RIN legislation that:</p> <ol style="list-style-type: none"> <li>1. Statutorily authorizes remote notarization for acknowledgements by adding Section 36-20-73.1 to the Code of Alabama (1975) (hereinafter referred to as "Code");</li> <li>2. Ratifies the remote notarizations that were authorized pursuant to actions taken pursuant to the Emergency Management Act of 1955 in the form the governor's emergency proclamation, as amended; and</li> <li>3. Applies to the execution of documents by a party to the transaction, whether the party is within or outside of the boundaries of the state.</li> </ol> <p>For the purposes of this new section to the Code, there are two definitions that apply in the provisions permitting remote notarization:</p> <ol style="list-style-type: none"> <li>1. Original signature: a signature signed onto a document with wet ink; and</li> <li>2. Signatory: the person who is named on the document and is to sign the document.</li> </ol> <p>Two requirements that the Act DOES NOT change are the continued requirement that the notary be an Alabama commissioned notary public and the requirement for an original signature by the notary to appear on a document. The aspect of law that the Act DOES change is how a signatory to a document may appear before the notary. More specifically, a signatory may either appear:</p> <ol style="list-style-type: none"> <li>1. Physically; or</li> <li>2. Through the use of two-way audio-video communication technology that allows a notary public and a remotely located signatory to communicate with each other simultaneously by sight and sound.</li> </ol> <p>In order for a document to be notarized when the signatory is remotely located, however, the notary public must:</p> <ol style="list-style-type: none"> <li>1. Be physically located in the state of Alabama; and</li> <li>2. Maintain a recording of the two-way audio-visual communication for seven (7) years.</li> </ol> <p>The Act establishes identity verification requirements for the signatory with which the notary public must comply in order to notarize a document that is being executed by the signatory in a two-way audio-visual environment with the notary. The identity of the signatory is considered verified by the terms of the Act:</p> <ol style="list-style-type: none"> <li>1. If the notary public has personal knowledge of the identity of the signatory; or</li> <li>2. The signatory produces two valid forms of government issued identification, one of which must include the face and signature of the signatory (e.g., a driver's license or passport AND a social security card). If relying on government issued identification, the notary must also verify the identity of the signatory through a review of public or private data sources as well.</li> </ol> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified Notaries using the approved vendors platforms and notaries so long as the signatory to the document is physically located in the jurisdiction and the document is being acknowledged in the manner authorized in that that jurisdiction.</p>

## eClosing State (Online) Notary- Is online notary permitted?

<b>Alaska</b>	<p>Yes, as to notaries licensed in a state where remote notarization is permitted by law. Contact your local STGC Underwriter for underwriting requirements.</p> <p>House Bill 124 passed signing RON into law effective January 1, 2021.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries</p>
<b>Arizona</b>	<p>Arizona's RON legislation, Senate Bill 1030 was signed into law by the Governor on April 10, 2019. Arizona Revised Statutes 41-319, et seq. (Notaries Public); 41-351, et seq. (Electronic Notarization); 41-371 et seq. (Remote Online Notarization). The Arizona Secretary of State has adopted final rules to implement electronic notarization, as well as final rules to implement RON.</p> <p>Arizona Secretary of State web site for Remote &amp; eNotary:  <a href="https://azsos.gov/business/notary/enotary">https://azsos.gov/business/notary/enotary</a>            Remote Online Notary Rules:  <a href="https://azsos.gov/sites/default/files/Final_Rules_Remote_Online_Notary_AG_Approved.pdf">https://azsos.gov/sites/default/files/Final_Rules_Remote_Online_Notary_AG_Approved.pdf</a>            Electronic Notary Rules:  <a href="https://azsos.gov/sites/default/files/Final_Rules_Electronic_Notary_AG_Approved.pdf">https://azsos.gov/sites/default/files/Final_Rules_Electronic_Notary_AG_Approved.pdf</a></p> <p><b>41-373 A.R.S.</b>            The Arizona notary must be physically located in Arizona when performing a notarial act.            The Arizona notary must be specifically authorized by the Secretary of State to perform Remote Online Notarizations.            The Arizona notary may perform notarial acts for individuals who are not located in the state of Arizona.</p> <p>There is no "papering out" provision.</p> <p><b><u>Uniform Recognition of Acknowledgments Act A.R.S. 33-501, et seq.</u></b>            "...Notarial acts may be performed outside this state for use in this state with the same effect as if performed by a notary public of this state by the following persons authorized pursuant to the laws and regulations of other governments in addition to any other person authorized by the laws and regulations of this state: (1) A notary public authorized to perform notarial acts in the place in which the act is performed; (2) A judge, clerk, or deputy clerk of any court of record in the place in which the notarial act is performed; (3) An officer of the foreign service of the United States, a consular agent, or any other person authorized by regulation of the United States department of state to perform notarial acts in the place in which the act is performed; (4) A commissioned officer in active service with the armed forces of the United States and any other person authorized by regulation of the armed forces to perform notarial acts if the notarial act is performed for one of the following or his dependents: a merchant seaman of the United States, a member of the armed forces of the United States, or any other person serving with or accompanying the armed forces of the United States; and, (5) Any other person authorized to perform notarial acts in the place in which the act is performed.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>Arkansas</b>	<p>Yes, with Underwriter authorization. .</p> <p>Requirements for remote online notarizations in Arkansas:</p> <ol style="list-style-type: none"> <li>1. The notary public must be a resident of and physically located in the State of Arkansas and registered for eNotary transactions by the Secretary of State;</li> <li>2. The notary public must use communication technology with credential analysis and identity proofing systems approved by the Secretary of State, which allows for simultaneous communication by sight and sound with the principal (a principal with a vision, hearing, or speech impairment must be accommodated by the communication technology);</li> <li>3. The notary public verifies identity of principal at the time of their signature by either:             <ol style="list-style-type: none"> <li>a. Personal knowledge;</li> <li>b. Satisfactory evidence of the identity of the principal from a credible witness (NOTE: a credible witness must have their identity verified by the notary public in one of the same processes listed here); or</li> <li>c. Remote presentation by the person creating the electronic signature of government-issued identification, including but not limited to a U.S. passport or a state-issued driver's license that contains a signature and photograph of the person sufficient to allow (i) credential analysis and (ii) identity proofing through which a third person affirms the validity of the credentials and the identity of the person;</li> </ol> </li> <li>4. The notary public verifies that the document being executed by the principal is the same document before the notary;</li> <li>5. The notary public creates an audio-visual recording of the performance of the notarial act to maintain in an electronic record for 5 years following the notarization (NOTE: said electronic record is to include details of the notarization);</li> <li>6. Attachment of an electronic notarial certificate that includes a notation confirming that the notarization is an online notarization.</li> </ol>

## eClosing State (Online) Notary- Is online notary permitted?

<b>California</b>	<p>Yes. Chapter 291, Senate Bill 696 was signed into law September 30, 2023. Effective January 1, 2024, California may begin accepting or using RON for the notarization of documents involving California property. These RON transactions, however, may only be performed by a non-California notary commissioned in a state where RON is permissible, and provided. On January 1, 2030 (or sooner if the Secretary of State finalizes the rules and regulations), the California Online Notarization Act will take effect and California notaries will be able to apply for approval to conduct RON transactions.</p>
<b>Colorado</b>	<p>Yes. Colorado adopted legislation allowing Remote Online Notarization which became effective as of December 30, 2020. The Notary must be a Colorado Notary that has been approved by the Colorado Secretary of State to conduct Remote Online Notarizations. The Notary must be physically located within the State of Colorado at the time of the notarial act. The signer may be located outside of the State of Colorado, but the notarial act must relate to property located in Colorado.</p> <p>Colorado has adopted RULONA thereby allowing interstate recognition of notarial acts. (See C.R.S. 24-21-511.)</p> <p><u>Foreign Notary:</u> In accordance with RULONA, issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified e-Notaries using the approved vendors platforms and notaries.</p>
<b>Connecticut</b>	<p>No. CTA SB 426 (g) No record shall be acknowledged remotely pursuant to subsection 1025 (b) of this section in..... (10) a real estate closing, as defined in section 51-88a of the general 1040 statutes specifically prohibits remote online notarizations for real estate transactions”</p>
<b>Delaware</b>	<p>RON Allowed where:</p> <ol style="list-style-type: none"> <li>1. The Signer is located in this State and eSigns in presence of a Notary in this State.</li> </ol> <p>Delaware notarial officers who are registered with and licensed by the state of DE and located within the state may notarize through Remote Online technology. <a href="https://legis.delaware.gov/BillDetail/109348">https://legis.delaware.gov/BillDetail/109348</a></p> <ol style="list-style-type: none"> <li>2. The Signer is located in another state (within U.S.) and eSigns in the presence of Out-of-State Notary. Yes, permitted so long as the Notary adheres to the laws of state of which notary obtained notary license, and registers with the Secretary of State of DE.</li> <li>3. State law allows electronic filing of real property documents ("eRecording") -- Yes</li> </ol> <p>Foreign Notarizations: Permitted to the extent that a remote individual currently located outside of the United States may use remote online notarization to buy or sell a United States (US) property or to address a matter related to a US property, provided that RON is not prohibited in the foreign state in which the individual is physically located. (Awaiting further guidance from Legislature or SOS).</p>
<b>District of Columbia</b>	<p>D.C. Chapter 12A (Bill 24-457). Revised Uniform Law on Notarial Acts 1–1231.10. Notarial act in another state provides: (a) A notarial act performed in another state shall have the same effect under the law of the District as if performed by a notarial officer of the District, if the notarial act performed in that state is performed by: (1) A notary public of that state; (2) A judge, clerk, or deputy clerk of a court of that state; or (3) Any other individual authorized by the law of that state to perform the notarial act. (b) The signature and title of an individual performing a notarial act in another state shall be prima facie evidence that the signature is genuine and that the individual holds the designated title. (c) The signature and title of a notarial officer described in subsection (a)(1) or (2) of this section shall conclusively establish the authority of the officer to perform the notarial act. (Dec. 4, 2018, D.C. Law 22-189, § 11, 65 DCR 11606.) (See Bulletin DC 2018006.)</p> <p>No rules or regulations have yet been enacted. Stewart is awaiting the regulations before underwriting transactions in D.C.</p> <p><u>Foreign Notary:</u> In accordance with Chapter 12A. Revised Uniform Law on Notarial Acts 1–1231.10, issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>Florida</b>	<p>Yes, effective January 1, 2020, Florida Notaries may perform remote online notarial acts, with specific RON certification.</p> <p>Effective in all counties that accept instruments for E-Recording. In counties where clerks are not accepting e-docs, FS provides 28.222(3)(h) providing for paper opt-out and recording of a certified copy.</p> <p>Remote online Notary Statutes found in FS 117 and SOS rules for RON found in FAC 1N-7001 through 7.004.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified e-Notaries using the approved vendors platforms and notaries and subject to compliance with other STG bulletins.</p> <p>RIN: Not authorized for Florida notary use as current notary statutes do not allow for the taking of remotely executed wet-signed original documents. In state RIN are not valid, but Issuing offices may recognize online</p>

## eClosing State (Online) Notary- Is online notary permitted?

	notarization performed in another jurisdiction utilizing RIN using approved vendors platforms and notaries and subject to compliance with other STG bulletins.
<b>Georgia</b>	No.
<b>Guam</b>	Yes. The Notary must be a commissioned notary public in Guam, resident of Guam, U.S Citizen, at least 18 years of age with a valid Guam Driver's License, Guam ID, Military ID, or U.S. passport, The RON must be physically located in Guam, possess computer technology to support 2 way online audio and video feed, be able to secure and retain electronic journal of each notary act, be able to accommodate persons with vision, hearing, or speech impairments, be able to electronically provide all required samples listed in Adobe PDF when requested, complete platform/software training or platform/software certification/ and must disclose license and/or commission revocations or other disciplinary actions.
<b>Hawaii</b>	Yes, as of January 1, 2021. Must be licensed notary in Hawaii, 18 years old, resident of Hawaii, citizen of the US. The computer must be able to support a live two-way audio and video feed, must be physically located in the state at the time of the notarial act.
<b>Idaho</b>	IC 51-114A NOTARIAL ACT PERFORMED BY REMOTELY LOCATED INDIVIDUAL became effective January 1, 2020, allowing RON to be used in the state of Idaho and setting forth the rules regarding RON transactions. The Idaho Notary Handbook at <a href="https://sos.idaho.gov/notary/idaho_notary_handbook.pdf">https://sos.idaho.gov/notary/idaho_notary_handbook.pdf</a> also sets out the rules governing notarial acts performed for remotely located individuals. Additionally, IC 51-116 SHORT FORM CERTIFICATES paragraph (6) sets out the requirements for an acknowledgement of a notarial act performed remotely.  <u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries. (See ICA 51-111 and 28-50-107.)
<b>Illinois</b>	Yes, in counties that accept instruments for eRecording and subject to STGC's underwriting requirements. Contact your local STGC Underwriter for these requirements. We require confirmation that the local county recorder will accept an online notary for recording before we agree to insure the transaction.  On July 26, 2021, SB2664 was signed into law as Public Act 102-160 authorizing both RIN and RON; however, the Illinois Secretary of State has not filed administrative rules; therefore, it is not currently in effect until the administrative rules are filed. There is no papering out provision.  <u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.
<b>Indiana</b>	Yes, in counties that accept instruments for eRecording and subject to STGC's underwriting requirements. See Bulletin IN2019001. Contact your local STGC Underwriter for these requirements. We require confirmation that the local county recorder will accept an online notary for recording before we agree to insure the transaction.  Effective July 1, 2020, an Indiana commissioned notarial officer upon receiving authorization to perform remote notarizations, using an approved remote technology vendor. The remote notary's vendor must be registered with the SOS. The technology vendor must also be an approved vendor by STGC to insure the transaction.  Indiana does recognize a remote online notarization from another state, under federal law, under a federally recognized Indian tribe or from a foreign country where the notary is authorized under that jurisdictions' law.  <u>Recording a copy of an electronic record ("Paper -Out"):</u> Effective April 29, 2021, an electronic document that is printed or a copy thereof which is certified by the remote notary to be a true and correct copy of the electronic document may be recorded. The notary's certification is completed by (i) executing and attaching the official seal to the copy; or (ii) attaching a separate certificate to the document copy. The form of certificate is found at <a href="#">IC 32-21-2.5-12 (c)</a> .  <u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.  Indiana Notary Public Guide: <a href="https://inbiz.in.gov/Assets/NotaryGuide.pdf">https://inbiz.in.gov/Assets/NotaryGuide.pdf</a>
<b>Iowa</b>	Contact your local STGC Underwriter for questions.  <u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.
<b>Kansas</b>	Yes. Kansas is approved to proceed with RON supported closings in all counties which accept e-recording, subject to the requirements of the KS Secretary of State found at <a href="https://sos.ks.gov/business/notary.html">https://sos.ks.gov/business/notary.html</a> .  STG Bulletin guidelines are found in SLS2020003.
<b>Kentucky</b>	Yes, effective January 1, 2020, Senate Bill 114 was enacted, updating provisions for notary practices, allowing County Clerks to accept and record real estate documents electronically, and authorizing the electronic notarization of real estate documents both in person and remotely. Law is permissive, not mandatory, so the agent must confirm electronic recording availability with the county. The law includes a papering out provision.

## eClosing State (Online) Notary- Is online notary permitted?

	<p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>Louisiana</b>	<p>Yes. Louisiana permits remote online notarization under La.R.S. 35:621, et seq. (the Louisiana “Remote Online Notarization Act”). Signers must sign in the presence of the notary and applicable witnesses, during a live remote communication with the notary, and the notary must be located within the State of Louisiana at the time of notarization. RON procedure must meet SOS guidelines for security and identity verification, and a video recording of the signing of the act must be maintained.</p> <p>However, Louisiana does NOT allow RON for certain types of acts such as authentic acts, trusts, wills, matrimonial agreements, and donations. Therefore, with respect to mortgage lending and other real estate transactions featuring in which “authentic acts” are often necessary are required for the validity of either (1) the validity of the transaction itself, or (2) the validity compliance of the documents (or provisions of documents) with specific closing instructions as part of the transaction, then the parties should consult Louisiana counsel as to how the use of RON may affect the authentic act in their transaction.</p>
<b>Maine</b>	<p>Yes. On July 1, 2023, Maine’s Revised Uniform Law on Notarial Acts (“MERULONA”), 4 M.R.S. § 1901, et. seq. (available here: <a href="https://www.mainelegislature.org/legis/statutes/4/title4ch39sec0.html">https://www.mainelegislature.org/legis/statutes/4/title4ch39sec0.html</a>), became effective. MERULONA overhauled Maine’s existing law governing notaries public and authorized remote and electronic notarizations under certain specifically defined conditions. The major new provisions of MERULONA are the approval of remote and electronic notarization. MERULONA distinguishes between “remote” and “electronic” notarization as follows:</p> <p>Remote Notarization. The signer of the document is not physically present with the notary. The notary process is accomplished through a technology provider approved by the Maine Secretary of State whose system allows the signer and notary to communicate with each other simultaneously by sight and sound. Those communications must be recorded and retained for at least 10 years.</p> <p>Electronic Notarization. The signer of the document is physically present with the notary. The process is accomplished by the notary providing to the signer the physical technology, such as an electronic signature keypad, laptop computer, or tablet, through which the signer electronically makes his or her signature. Unlike traditional in-person paper notarizations, notarial officers must maintain journals for all remote and electronic notarizations. Such journals may either be in permanent physical registers with bound and numbered pages, or in electronic format provided that the same is tamper-proof in a manner compliant with the rules established by Maine’s Secretary of State. These journals must be retained for at least 10 years after the last recorded notarial act.</p> <p>Before any Maine notarial officer may perform remote or electronic notarizations, they must submit written notice of their intent to do so to Maine’s Secretary of State using the officially promulgated form found here: <a href="https://www.maine.gov/sos/cec/notary/Remote/noticeforremote.pdf">https://www.maine.gov/sos/cec/notary/Remote/noticeforremote.pdf</a>. They must then receive a written notice of acceptance from the Maine Secretary of State. This includes, without limitation, Maine attorneys in good standing, all of whom are automatically authorized to perform notarial acts pursuant to 4 M.R.S. § 1915, et. Among the information required to complete the application form is the following:</p> <p>A. The name(s) of the provider(s) of technology approved by the Secretary of State that the notarial officer has selected to use;</p> <p>B. A certification from each provider of technology confirming that the notarial officer has received training in the use of that technology and has been approved as a user of that technology;</p> <p>C. A certification by the notarial officer that the officer has read and understands the requirements of 4 M.R.S. chapter 39 and the administrative rules; and</p> <p>D. An example of the notarial officer’s electronic signature and official electronic stamp.</p>
<b>Maryland</b>	<p>Yes. Senate Bill 678 passed and was signed by the Governor, effective October 1, 2020.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries. A Maryland Licensed Title Insurance Producer must be a participant in the closing.</p>
<b>Massachusetts</b>	<p>Effective January 1, 2024, Remote Online Notarizations are permitted by law in Massachusetts pursuant to Actos of 2023, Section 23, Chapter 222, however, no regulations have been passed (or technology vendors approved), Per the Secretary of State: “As of this time there are no systems in place for Remote Notarization. The Secretary of State is still working with the Governor’s Council and the Governor’s office to develop these systems, and so at this time Remote Notarization should not be done by any MA notaries. You can find any updates on our website at this link: <a href="https://www.sec.state.ma.us/divisions/commissions/remote-online.htm">https://www.sec.state.ma.us/divisions/commissions/remote-online.htm</a>”</p>
<b>Michigan</b>	<p>RON is approved in Michigan authorizing state approved notaries to perform RON notarizations. The Stewart approved vendors are included in the Secretary of State approved vendor’s list.</p> <p>Effective March 12, 2019, Michigan will recognize a remote online notarization from another state, under federal law, under a federally recognize Indian tribe or from a foreign country where the notary is authorized under that jurisdictions’ law.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>Minnesota</b>	<p>Yes, remote online notarization is permitted in accordance with Minnesota Statutes Section 358.645 and other Minnesota law as applicable.</p>

## eClosing State (Online) Notary- Is online notary permitted?

	<p>Effective on January 1, 2019, MN Senate File 893 adds sections 358.51 to 358.76 to; amending sections 5.15, 325K.23, 358.50, 359.01, 359.04, 507.24, 508.48; 508A.48; 358.116 of; and repealing sections 358.41, 358.42, 358.43, 358.44, 358.45, 358.46, 358.47, 358.48, 358.49, and 359.12 of the Minnesota Statutes.</p> <p>Minnesota has a papering out provision added in Minn. Stat. Section 358.646 Recording Electronic Documents in Tangible Form.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
Mississippi	No.
Missouri	<p>Yes, in counties that accepts instruments for eRecording and subject to STGC's underwriting requirements. Contact your local STGC Underwriter for these requirements. We require confirmation that the local county recorder will accept an online notary for recording before we will agree to insure the transaction.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
Montana	<p>Yes. HB 370 authorized RON specifically. RON notary must take a test and be licensed as a RON notary. Record of the RON must be kept for 10 years. RON must be located in Montana. subject to STGC's underwriting requirements. Contact your local STGC Underwriter for these requirements. Require confirmation that the local county recorder will accept an online notary for recording before we will agree to insure the transaction.</p> <p>Remote notarization may only be used to perform acknowledgments or verifications on oath or affirmation (jurats), and may only be done if:</p> <ol style="list-style-type: none"> <li>1. the signer is personally known to the notary or identified by a credible witness; and</li> <li>2. except for a transaction that is pursuant to a proxy marriage under MCA §40-1-213 or MCA §40-1-301, the signer is a legal resident of Montana;</li> </ol> <p>and,</p> <ol style="list-style-type: none"> <li>3. the transaction involves real property located in Montana;</li> <li>4. involves personal property titled in Montana;</li> <li>5. is under the jurisdiction of any Montana court, or is pursuant to a proxy marriage under MCA §40-1-213 or MCA §40-1-301.</li> </ol> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
Nebraska	<p>Legislative Bill 186 passed in 2019 and goes into effect July 1, 2020. Leg. Bill 186 is known as the Online Notary Public Act (the "Act").</p> <ol style="list-style-type: none"> <li>1. Online Notary Public means a notary registered with the Secretary of State's office ("SOS") who has authority to perform online notarial acts;</li> <li>2. The Act means the performance by an Online Notary Public of a function authorized under Sec. 8 of the Act using technology that meets the standards developed under Sec. 7 of the Act.</li> <li>3. Sec. 8 of the Act provides for the following online notarial acts: (a) acknowledgements; (b) jurats; (c) verifications of proof; and (d) oaths or affirmations.</li> <li>4. Sec. 7 of the Act requires the SOS to create rules and regulations establishing standards for notarial acts in accordance with the Act.</li> <li>5. An online notary may perform acts authorized by Sec. 8 of the Act regardless of where the principal (party signing whose signature is being notarized) is physically located on the planet.</li> <li>6. Online notarial fee cannot exceed \$25.00.</li> <li>7. The Act does not require other notaries to qualify as an online notary if they will not be performing online notarial acts.</li> <li>8. The Uniform Recognition of Acknowledgments Act also governs, i.e., any document properly signed and notarized outside the state of Nebraska and is done in accordance with the local law of that jurisdiction, is valid and acceptable for recording in Nebraska.</li> <li>9. Sec. 25 of the Act requires the county register of deed's and clerk's offices in each county in the state to provide at least one electronic recording service capable of accepting electronically submitted real estate documents for recording. Since the Act is not effective until July 1, 2020, the SOS has not promulgated rules and regulations yet. However, as long as a document is properly signed and notarized outside the state of Nebraska and is done in accordance with the local law of that jurisdiction, it should be accepted for recording in Nebraska, provided that the local recorder's office has the capabilities to accept it for recording.</li> </ol> <p>The county where the property is located should be contacted prior to closing to confirm the county clerk's office has capabilities of recording electronically submitted real estate documents.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
Nevada	<p>NRS 240.181 et seq. The Electronic Notarization Enabling Act became effective July 1, 2018. Nevada adopted the Uniform Law on Notarial Acts – NRS 240.161, et seq. Nevada does allow for foreign Notary. The Secretary of State has adopted regulations effective 1/8/2019 which have now become permanent. Nevada Secretary of State Regulations: <a href="https://www.leg.state.nv.us/Register/2018TempRegister/T003-18A.pdf">https://www.leg.state.nv.us/Register/2018TempRegister/T003-18A.pdf</a></p>

## eClosing State (Online) Notary- Is online notary permitted?

	<p>For a foreign remote online notary, yes, in counties that accept instruments for eRecording. We require confirmation that the local county recorder will accept an online notary for recording before we agree to insure the transaction. Contact your local STGC Underwriter for underwriting requirements.</p> <p><i>See Sec. 38.3.: If an electronic document relating to real property located in this State contains an electronic acknowledgment, notwithstanding any omission or error in the certificate of acknowledgment or failure of the document to show an acknowledgment in compliance with applicable law, upon the document being recorded with the county recorder of the county in which the real property is located or filed with the Secretary of State:</i></p> <p><i>(a) The electronic document shall be deemed to be lawfully recorded or filed; and</i></p> <p><i>(b) All persons, including, without limitation, any creditor, encumbrancer, mortgagee, subsequent purchaser for valuable consideration or any other subsequent transferee thereof or of any interest therein, are deemed to have notice of its contents.</i></p> <p><i>2. For the purposes of this section, a document is deemed to comply with all applicable requirements upon the acceptance for recording by the county recorder of the county in which the real property is located or the filing of the document with the Secretary of State, as required by law.</i></p> <p>AB 413 has been codified as NRS 240.181 to 240.206 as the Electronic Notarization Enabling Act , amends NRS Sections 132.025, 132.119, 133.050, 133.085, 133.120, 136.185, 163.0016, 163.0018, 163.00185, 163.0095, 240.181, 240.182, 240.185, 240.186, 240.187, 240.189, 240.191, 240.192, 240.194, 240.195, 240.196, 240.197, 240.198, 240.199, 240.201, 240.202, 240.203, 240.204, 719.200, and repeals NRS Section 240.193.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>New Hampshire</b>	<p>Yes. The New Hampshire Revised Uniform Law on Notarial Acts (RULONA), effective February 6, 2022, authorizes the performance of electronic notarization and remote notarization (RON).</p> <p>Please note that you must obtain written authorization from all parties consenting to the use of RON methods- see Bulletin SLS2020003, and Confirm with the appropriate registry of deeds as to their acceptance of RON documents. If the county recorder refuses to accept RON documents, whether in electronic or paper form, Stewart will not insure the transaction.</p> <p>Underwriting guidelines for NH are here: <a href="https://www.virtualunderwriter.com/en/bulletins/2022-2/nh2022001.html">https://www.virtualunderwriter.com/en/bulletins/2022-2/nh2022001.html</a></p>
<b>New Jersey</b>	<p>Yes. Effective October 20, 2021, NJ Bill A4250/S2508 authorizes Remote Online Notarizations. The law has a number of requirements for valid remote notarizations. Please consult Bulletin NJ2021005 for the full list or contact the New Jersey underwriting team.</p> <p><u>Foreign Notary:</u> Yes. A notarial act performed in another state has the same effect under the law of this state as if performed by a notarial officer of this state, subject to a number of requirements. These requirements can be found in Bulletin <a href="#">NJ2021005</a>.</p>
<b>New Mexico</b>	<p>Yes. Effective January 1, 2022, SB12 the "Revised Uniform Law on Notarial Acts" repeals and replaces the Notary Public Act N.M.S.A. § 14-12A-1 through § 14-12A-26 and the Uniform Law on Notarial Acts N.M.S.A. § 14-14-1 through § 14-14-11. It authorizes notaries to perform notarial acts for remotely located individuals by use of an electronic signature and two-way audio and video communication technology ("RON"). It provides that the Secretary of State may adopt rules to implement the Act.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>New York</b>	<p>Yes. Please refer to Stewart's specific New York Bulletins for the guidelines by using the following links:</p> <p><a href="https://www.virtualunderwriter.com/en/bulletins/2023-3/NY000690.html">https://www.virtualunderwriter.com/en/bulletins/2023-3/NY000690.html</a></p> <p><a href="https://www.virtualunderwriter.com/en/bulletins/2023-1/NY000684.html">https://www.virtualunderwriter.com/en/bulletins/2023-1/NY000684.html</a></p>
<b>North Carolina</b>	<p>Effective as of July 1, 2023, a notary public that is physically located in North Carolina and registered with the N.C. Secretary of State to perform remote electronic notarizations may do so consistent with other requirements set forth in N.C.G.S. Chapter 10B. See Bulletin NC2022001 for more details concerning the requirements.</p> <p><u>Foreign Notary-</u> The N.C. statute referenced above does not specifically address this issue.</p>
<b>North Dakota</b>	<p>Yes. Passed the Uniform Law Commission version almost as drafted by ULC, but the SOS must implement rules to operate under and has not done so yet.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>Ohio</b>	<p>Yes, as of September 20, 2019. Senate Bill 263, the Notary Public Modernization Act, was signed into law on 12/19/2018 and in effect as of September 20, 2019. The law permits RON subject to rules promulgated by the Secretary of State. RON performed in another jurisdiction is recognized, subject to compliance with Bulletin SLS2018003.</p>

## eClosing State (Online) Notary- Is online notary permitted?


	<p>Ohio's law contains a papering out provision.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>Oklahoma</b>	<p>Yes, as of January 1, 2020, 49 O.S. Sections 201-215 authorize RON.</p> <p>The law provides for the SOS to implement regulations of online notarizations found at OK Adm. Code Title 655, Ch. 25.</p> <p>An Oklahoma notary who has registered with and received written authorization from the Secretary of State to conduct RONs may take remote online notarizations of a person in Oklahoma, outside of Oklahoma but within the United States, or outside the U.S. if the property is in the United States. The law requires the notary to be "physically located" in Oklahoma. (See Bulletin OK2020001.)</p> <p>16 O.S. §87 allows for recording of a paper copy of an electronic document if it is properly certified by a notary under the statute.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>Oregon</b>	<p>Yes, the Oregon Legislative Assembly passed House Bill 4212; it became effective on June 30, 2020. Pursuant to HB 4212 a notary public shall notify the Secretary of State that the notary public will be performing notarial acts with respect to electronic records and identify the technology the notary public intends to use. HB 4212 also requires that the remote notary ensure that an electronic journal and electronic recording be maintained. Effective June 15, 2021, SB 765 permanently established remote online notarization in Oregon by repealing the sunset provision from Sections 19-32, Chapter 12, Oregon Laws 2020 (HB 4212). The bill adds provisions governing notary certification of a tangible (paper) copy of an electronic record and recording of the tangible copy which must include a notarial certificate certifying the paper copy is an accurate copy of the electronic record.</p> <p>The Secretary of State has authorized certain platforms for use, however, for title insurance purposes use one of Stewart's approved platforms as outlined in the Stewart Bulletins.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize remote online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>Pennsylvania</b>	<p>Yes. On October 29, 2020, Governor Wolf signed legislation allowing RON; HB 2370 was signed as Act 97 of 2020 and was effective immediately. The Act specifies that a notary in PA may perform notarial acts through communication technology as long as the requirements of the Act are met; link below:</p> <p><a href="https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2020&amp;sessInd=0&amp;act=97">https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2020&amp;sessInd=0&amp;act=97</a></p> <p>Pennsylvania Statute 57 Pa. C.S. Section 311 provides for interstate recognition for notarial acts performed in a different state. (See 57 Pa. C.S. Sec. 311.)</p> <p><u>Foreign Notary:</u> In accordance with 57 Pa. C.S. Sec. 311, issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>Puerto Rico</b>	
<b>Rhode Island</b>	<p>Yes, pursuant to 42-30.1-12.1, a notary registered with and approved by the RI Secretary of State to perform RON transactions may notarize a document remotely (and electronically). The Notary must be located within the state of Rhode Island at the time of the transaction.</p> <p><a href="https://www.sos.ri.gov/Divisions/NotaryPublic/RemoteNotary">https://www.sos.ri.gov/Divisions/NotaryPublic/RemoteNotary</a></p>
<b>Saipan</b>	
<b>South Carolina</b>	No.
<b>South Dakota</b>	<p>HB 1272 was signed by the governor in March and in effect as of July 1, 2019. RON is permitted if the person executing the document is personally known to the SD notary. The newly elected SOS wants time to review and weigh in on standards.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>Tennessee</b>	<p>Yes, in counties that accept instruments for eRecording and subject to STGC's underwriting requirements. Contact your local STGC Underwriter for these requirements. We require confirmation that the local county recorder will accept an online notary for recording before we agree to insure the transaction.</p> <p>Effective July 1, 2019, see TN Senate Bill 1758/House Bill 1794 which amends Sections 8-16-112, 8-16-114 and 66-22-101 of, and adds new Sections 8-16-301-8-16-313 to the Tennessee Code Annotated.</p> <p>The law includes a papering out provision.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>



## eClosing State (Online) Notary- Is online notary permitted?

<b>Texas</b>	<p>Yes, effective on July 1, 2018. SOS promulgated regulations for Texas notary publics and are available at <a href="https://www.sos.state.tx.us/statdoc/online-np-educational.shtml">https://www.sos.state.tx.us/statdoc/online-np-educational.shtml</a>.</p> <p>A foreign remote online notary: yes, in counties that accept instruments for eRecording and subject to STGC underwriting requirements. We require confirmation that the local county recorder will accept an online notary for recording before we agree to insure the transaction. Texas House Bill 1217 amends Civil Practices and Remedies Code Sections 121.006, 121.016, and adds a new Subchapter C Government Code Chapter 406.</p> <p>Effective September 1, 2019, Property Code §12.0013 was amended to provide that a printed copy of an electronic record may be recorded in the public land records. The copy must show the electronic signature that is acknowledged, sworn or proved. It must be declared by a notary to be a true and correct copy. There is a statutory form of the notary's declaration of authenticity.</p> <p>See Also Bulletin TX2018003, TX2018005, and TX2019008.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>U.S. Virgin Islands</b>	
<b>Utah</b>	<p><b>UCA 46-1 Notaries Public Reform Act</b> includes the statutory changes effective November 1, 2019, allowing the use of Remote Notarizations to be performed in the State of Utah. UCA 46-1-3.5 establishes the remote notary qualifications and UCA 46-1-3.6 sets forth the remote notarization procedures. A notary must be certified by the secretary of state to perform remote notarizations. The whole of the UCA 46-1 contains information, rules, and regulations regarding remote notarizations.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>Vermont</b>	<p>In 2018, Vermont passed legislation (Act 160, H.526) that provides the statutory framework required to permit remote online notarizations (hereafter, RONS) in Vermont. The effective date of the legislation is July 1, 2019; however, the law specifically prohibits the use of RONS until the Vermont Secretary of State has adopted rules and prescribed standards for practice in this area.</p> <p>The Vermont Secretary of State is engaged in the rule-making process, but there is no information available as to when that process will be completed. Accordingly, at this time, Rons <u>are only permitted</u> under a temporary order which expires September 2024.</p>
<b>Virginia</b>	<p>Yes, in counties that accept instruments for E-Recording and use of an STGC approved vendor platform, and subject to STGC's underwriting requirements. Contact your local STGC Underwriter for these requirements. We require confirmation that the local county recorder will accept an online notary for recording and that all parties to the transaction have agreed to eNotarization.</p> <p>See VA Code §47.1-1 et.seq.; VA Notary Act; VA Notary Public Handbook and §19.2-3 et. seq.</p> <p>Virginia Code §47,1-16 (A) requires that, "the notarial certificate shall include the county or city <i>within the Commonwealth</i> where the electronic notary public was physically located at the time of the notarial act"</p> <p>VA Code Section 17.1-223 (C) allows a paper copy of an electronic document to be submitted for recording with certification that it is a true and correct copy of electronic original for clerks' offices that cannot accept electronic recordings.</p> <p>Virginia is not approved for RIN.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>Washington</b>	<p>Yes, as to notaries licensed in a state where remote notarization is permitted by law and in counties that accept instruments for eRecording. Contact your local STGC Underwriter for underwriting requirements.</p> <p>Senate Bill 5641 passed signing RON into law effective October 1, 2020.</p> <p><u>Foreign Notary:</u> Issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries.</p>
<b>West Virginia</b>	<p>Yes, in Counties that accept instruments for eRecording and subject to STGC's underwriting requirements. The West Virginia Legislature passed Senate Bill 469, which became effective June 17, 2021. This Bill revised Article 4 of the Uniform Law on Notarial Acts, which amended and reenacted Code Section 39-4-6 and added two new code sections 39-4-6a and 39-4-37 relating to Remote Online Notarization (RON).</p> <p>Among other things, there are changes relating to personal appearance required for notarial acts and requiring the Secretary of State to propose legislative rules establishing requirements for performance of a notarial act on behalf of an individual appearing before a notary public by means of communication technology. Please review the reenacted and revised statutes below for procedures and requirements to be followed in utilizing RON, along with the other statutes contained in the Uniform Law on Notarial Acts.</p>

## eClosing State (Online) Notary- Is online notary permitted?

	<p>An approved Stewart Provider Platform must be utilized for RON. Please refer to Virtual Underwriter, <a href="http://www.vuwriter.com">www.vuwriter.com</a>, for a current list of approved RON vendors and platforms and additional resources. Please also refer to WV Bulletin WV 20210001.</p> <p><u>Foreign Notary</u>: A notarial act performed in another state has the same effect under the laws of this state as if performed by a notarial officer of this state, subject to a number of requirements. See WV Code 39-4-11 RON performed in another state or jurisdiction with certified E Notaries must utilize approved STG vendors and platforms.</p>
<p><b>Wisconsin</b></p>	<p>2019 Wisconsin Act 125 <a href="https://docs.legis.wisconsin.gov/2019/related/acts/125">https://docs.legis.wisconsin.gov/2019/related/acts/125</a> passed and became effective on May 1, 2020. Notary practices, including Remote Online Notarial Acts, are conducted in accordance with Chapter 140 of the Wisconsin Statutes. <a href="https://docs.legis.wisconsin.gov/statutes/statutes/140">https://docs.legis.wisconsin.gov/statutes/statutes/140</a></p> <p>Wisconsin notaries need to obtain a commission from the Wisconsin <a href="#">Department of Financial Institutions (DFI)</a> to perform an online notary as well as comply with any applicable statutes and rules promulgated by the Department. Detailed information regarding Remote Online Notarial Acts in Wisconsin can be obtained through the Department of Financial Institutions.</p> <p><b>Remote Online Notarization</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Guidance for Notaries Seeking to Perform Remote Online Notarial Acts (updated December 2020)</a></li> <li>• <a href="#">Guidance for Individuals Seeking Remote Online Notarial Services</a></li> <li>• <a href="#">Guidance on Identity Proofing</a></li> <li>• <a href="#">Guidance on the Performance of Notarial Acts on the Basis of Personal Knowledge</a></li> <li>• <a href="#">List of Approved RON Technology Providers</a></li> <li>• <a href="#">RON Technology Providers Portal</a></li> <li>• <a href="#">RON Communication Technology Provider Application</a></li> <li>• <a href="#">RON Annual Confirmation &amp; Recertification Form (for Approved Technology Providers)</a></li> <li>• <a href="#">January 2021 Update on RON Implementation in Wisconsin (Please contact WI underwriting for more details.)</a></li> </ul> <p><b>For More Detailed Information</b>, please read the  <a href="#">Notary Public Information Publication</a>.</p> <p><b>Email:</b> <a href="mailto:DFINotary@dfi.wisconsin.gov">DFINotary@dfi.wisconsin.gov</a> <b>Phone:</b> (608) 266-8915</p> <p>A paper out option for recording is permitted provided Wis. Stat. 140.20(3) is followed.</p> <p><u>Foreign Notary</u>: In accordance with Wisconsin Statute 706.07(4), issuing offices may proceed to recognize online notarization performed in another jurisdiction with certified eNotaries using the approved vendors platforms and notaries. The applicable County Register of Deeds office should be contacted to confirm acceptance for recording any online notarization performed in another jurisdiction to be recorded under 706.07(4).</p> <p>RIN is not currently permitted in Wisconsin and there is no current legislation pending that would authorize it.</p>
<p><b>Wyoming</b></p>	<p>Yes. Wyoming adopted legislation allowing Remote Online Notarization which became effective as of July 1, 2021. The Wyoming Notary must be physically located within the State of Wyoming when performing the notarial act, but the signer may be located out of Wyoming or outside of the territorial jurisdiction of the United States. However, if the signer is located outside of the United States, the act of signing the record must not be prohibited in the foreign state where the signer is located. The property to which the Remote Online Notarization relates may be located in Wyoming or any other location within the territorial jurisdiction of the United States.</p> <p>The same legislation which allowed Remote Online Notarization also adopted RULONA for Wyoming and allows issuing offices to recognize and accept notarial acts and Remote Online Notarizations performed in other jurisdictions.</p>