

# State of Remote Notarization



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A low-angle, upward-looking photograph of the interior of the California State Capitol Dome. The dome's surface is a complex, radial pattern of light-colored panels, likely plaster or stone, with intricate gold leaf decorations. A central circular skylight at the top allows natural light to filter in, creating a bright focal point. The perspective is from the lower part of the dome, looking up towards the center, emphasizing the height and grandeur of the architecture.

**40**

Permanent Remote  
Online Notarization  
Enactments

**11**

No Permanent  
Remote Notarization  
Enactments

**9**

Temporary COVID-19  
Remote Notarization  
Authorizations

**7**

Permanent Remote  
Ink Notarization  
Enactments

# Remote Notarization Buckets



## **Uniform Law**

Revised Uniform Law  
on Notarial Acts  
17 States



## **Model Law**

MBA/ALTA,  
NNA Model Acts  
15 States



## **Outlier**

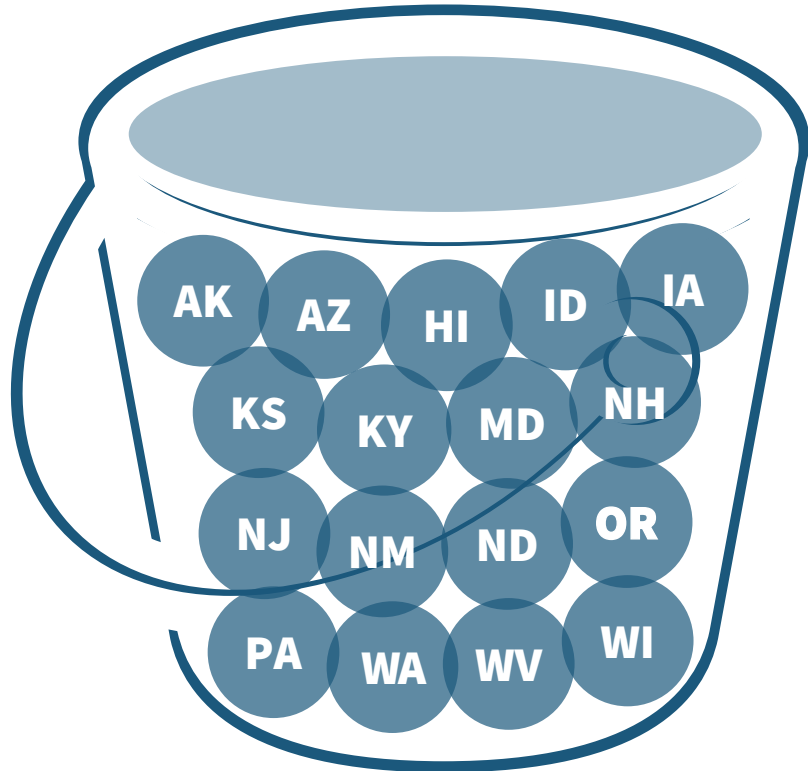
6 States



## **Hybrid**

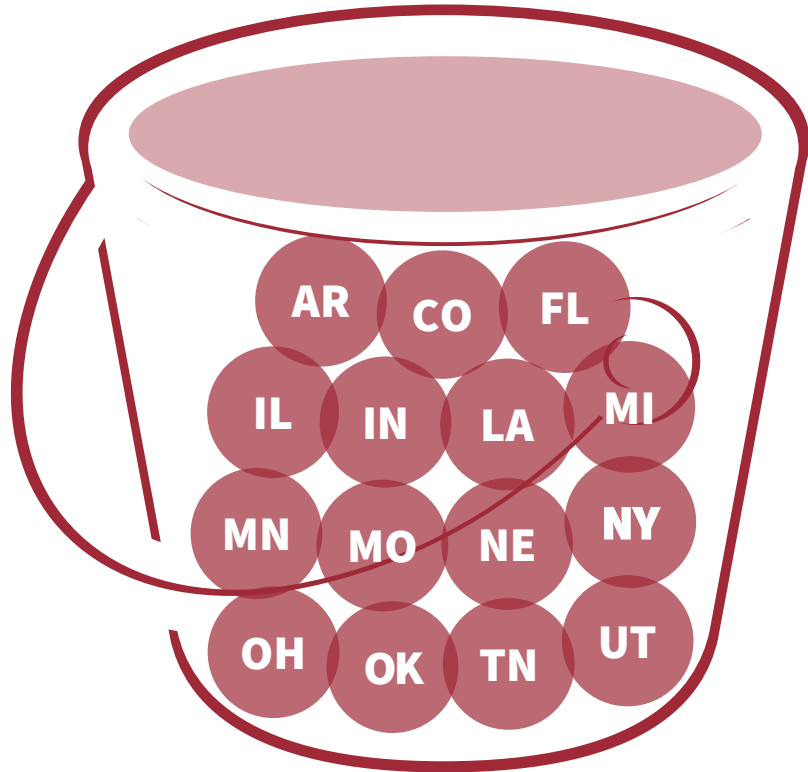
2 States

# Uniform Law Bucket



- Less prescriptive
- Relies more on rulemaking (KS, NH, ND, PA excepted)
- Technology neutral
- Remote ink notarization
- History of enacting ULC uniform acts

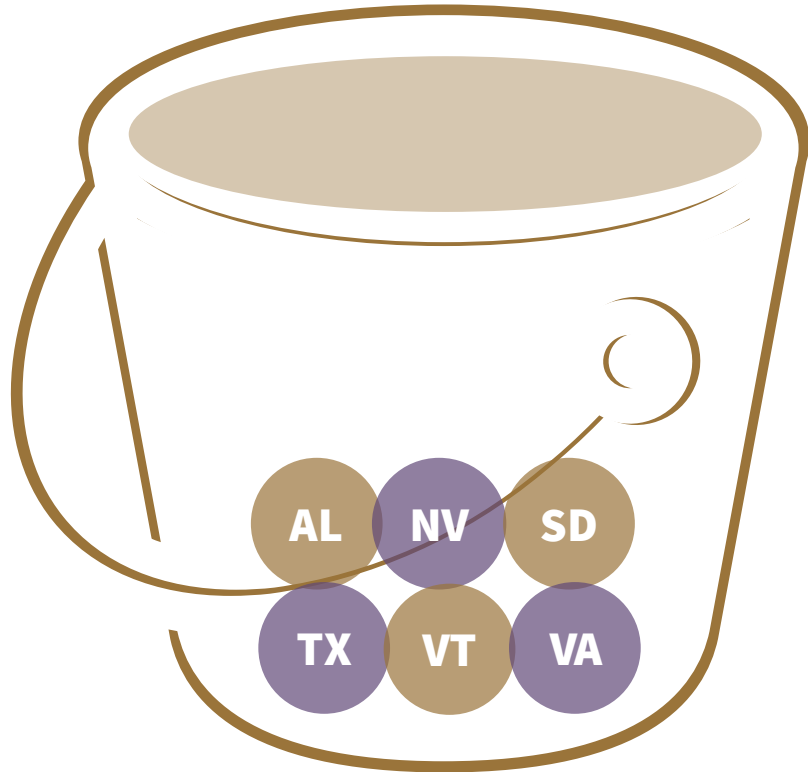
# Model Law Bucket\*



- More prescriptive
  - Notary registration/commission
  - Notary electronic signature/seal
  - A/V recording and technology
  - Platform approval/registration
- Relies on rulemaking (AR, MN excepted)
- More technology specific
- No remote ink notarization (IL excepted)

\* The Illinois and New York enactments are not yet in effect.

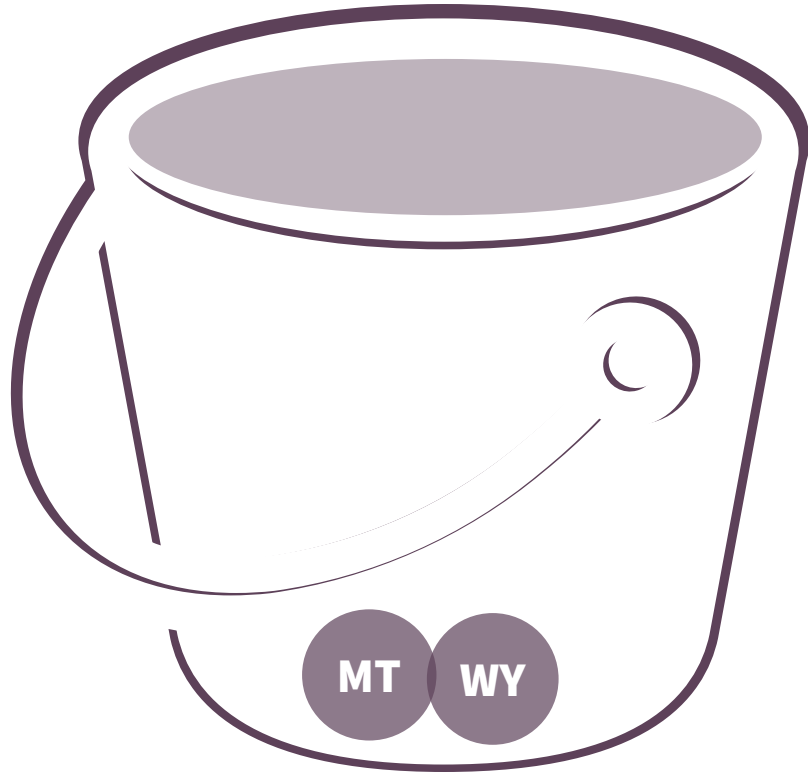
# Outlier Bucket\*



- **Early adopters**
  - No uniform or model act to use
  - Had to figure it out or make it up
- **Unique enactments**
  - Don't fit in the Uniform or Model Law Buckets

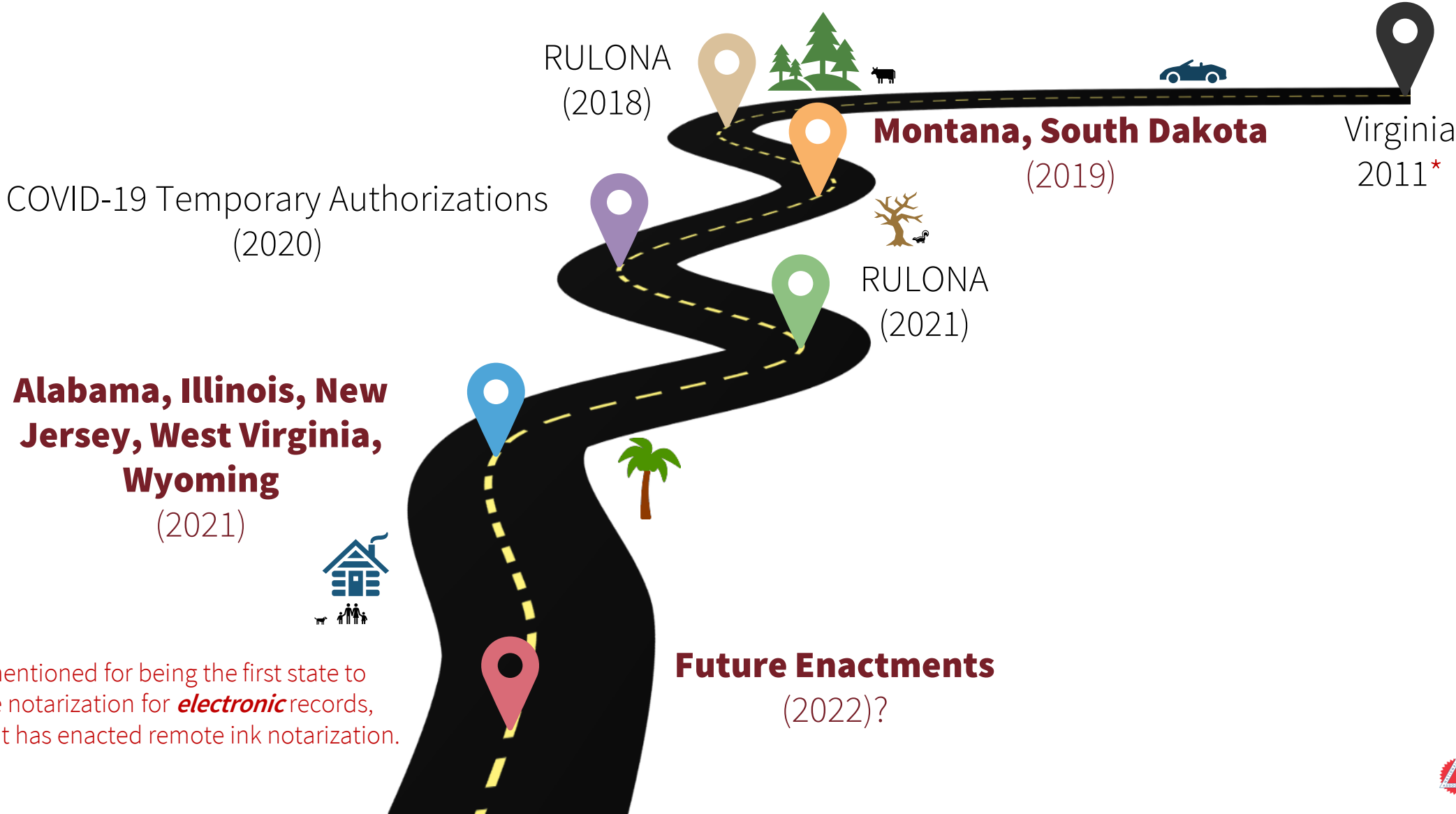
\* The Vermont enactment is not yet in effect.

# Hybrid Bucket



- Uniform/model law approaches
- Next door neighbors
- More prescriptive
  - Notary registration
  - Notary electronic signature/seal
  - A/V recording and technology
- Lighter on rulemaking
- Remote ink notarization

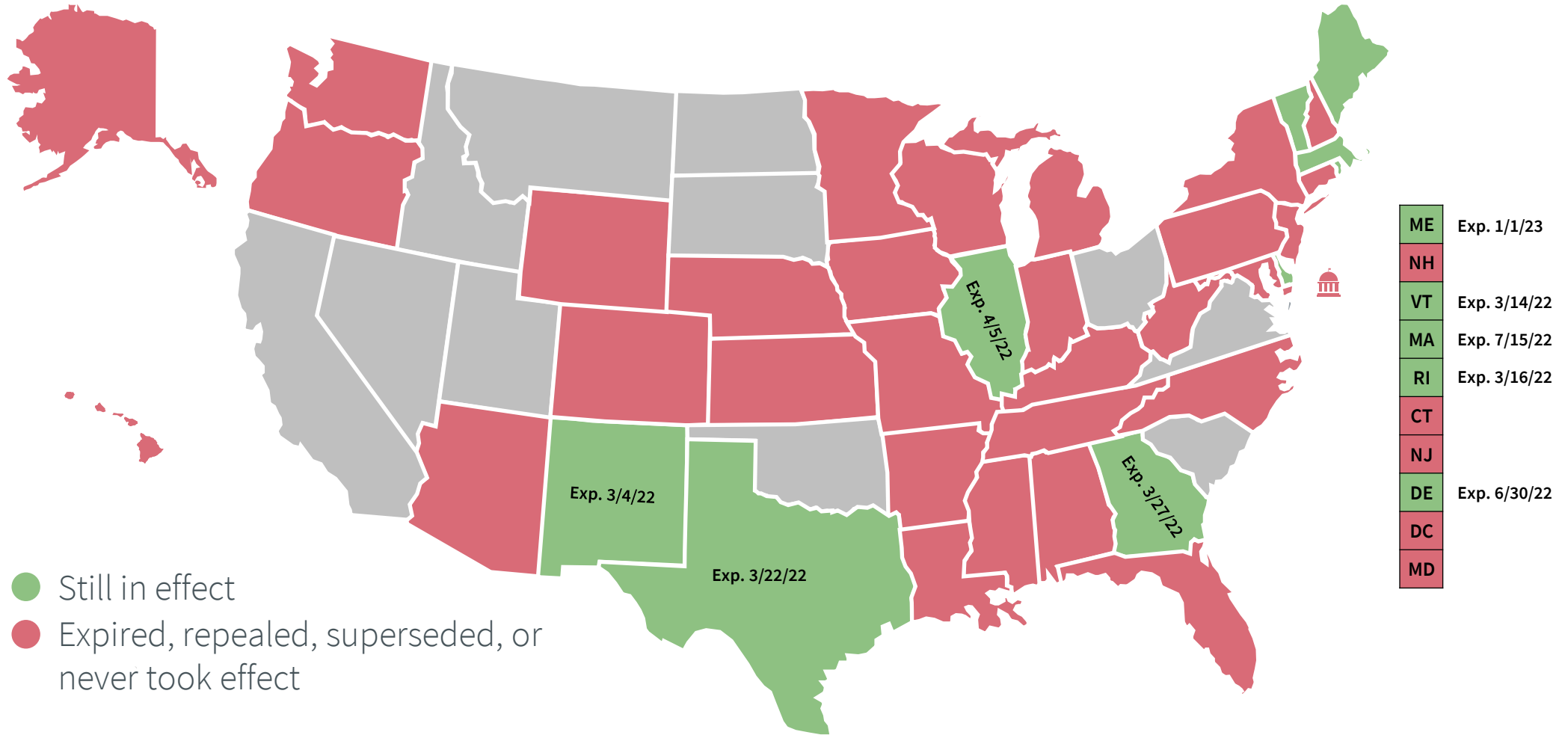
# The Road to Remote Ink Notarization



\* Virginia is mentioned for being the first state to enact remote notarization for **electronic** records, not because it has enacted remote ink notarization.

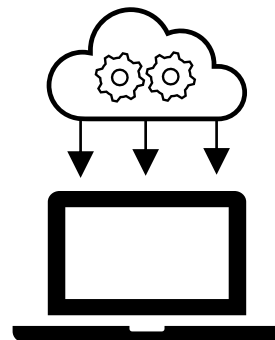


# Temporary Remote Notarization Authorizations\*



\* Every effort was made to check the accuracy of this information. Not all states *broadly* authorized remote notarizations. Some authorizations were limited to the administration of oaths or to real property or estate documents. Some states permitted permanent remote notarization statutes with delayed effective dates to take effect immediately. Other states limited who could perform remote notarizations. Some authorizations were issued through executive order, court order, special legislation, emergency rules, and Notary commissioning official guidance. There is some question whether certain temporary authorizations were rescinded when permanent remote notarization laws were enacted. Some authorizations are tied to ongoing declarations continuing the state of emergency. Some authorizations expire in a matter of days, if not renewed.

# Regulating Technology Systems\*



**System Approval**  
AR, CO, IL, IN, IA, KS, MD, MI, MO, MT, NV, NE, NM, PA, UT, WI

**Performance Standards**  
AK, AZ, ID, ND, NY, OH, OK, OR, TN, TX, WA, WV, WY

**Self-Certification**  
FL, KY, HI,<sup>1</sup> MN,<sup>2</sup> LA, NH

**No Requirement**  
AL, NJ, SD, VT, VA

\* Permanent remote notarization enactments only; temporary COVID-19 remote notarization authorizations not shown. The Illinois, New York, and Vermont enactments are not yet in effect.

<sup>1</sup> Based on rules published for comment, a technology provider must certify its system meets certain standards.

<sup>2</sup> The Notary must certify that the Notary intends to use technology that meets the standards.

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