RON in Arkansas
NASS 2023
• 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
• Governor’s pandemic Executive Order waived in-person notarization requirement
  • Limited to attorneys, title companies and financial institutions
• eNotary not required
• 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
• Applauded Executive Order but wanted scope expanded
• Desired more protection from potential fraud
  • No Facetime or Zoom
  • Identity proofing and credential verification tools
• 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
• 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
• 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)
• 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 that the federal legislation being considered