



WHY YOUR STATE SHOULD ADOPT THE REVISED UNIFORM LAW ON NOTARIAL ACTS

The Revised Uniform Law on Notarial Acts (RULONA) updates and modernizes the 1982 Uniform Law on Notarial Acts, which itself was an update of the Uniform Recognition of Acknowledgements Act of 1968. The Uniform Law Commission first addressed the issue in 1892 with its Uniform Acknowledgement Act. The 2010 revision was prompted by increasing variation amongst the states in their treatment of notaries public and notarial acts, by increasing nationalization of the banking and finance industries which exacerbated the problem of dealing with separate requirements in each locality, and with the evolution and expanding adoption of electronic communications and records in commercial transactions. The RULONA is designed to modernize and clarify the law governing notaries public, their responsibilities and duties, and to provide a stable infrastructure for the performance of notarial acts with respect to electronic records.

- The RULONA harmonizes treatment of notarization of all records, whether on paper or electronic. It works together with the Uniform Electronic Transactions Act (1999) and the federal Electronic Signatures in Global and National Commerce Act (2000), as well as the Uniform Real Property Electronic Recording Act (2005).
- The RULONA prevents incidents of conflict of interest for notaries. The act prohibits notarial officers from acting in any transaction in which the officer or his or her spouse, is a party or has a direct beneficial interest.
- The RULONA prevents false and deceptive advertising by prohibiting notarial officers from using the title “notario publico” and requires notaries who do advertise to state they cannot practice law or act as immigration counselors.
- The RULONA preserves the integrity and reliability of notarized documents. The RULONA requires any person seeking a notarization to appear in person before the notarial officer. Additionally, the notary must verify the identity of the person and to witness the signature or receive an acknowledgement or verification of the signature.
- The RULONA works with notarial acts conducted in other jurisdictions by providing for recognition of valid notarizations from other states, from federally recognized American Indian tribes or nations, or under federal law or the law of foreign nations.
- The RULONA provides minimum standards for receiving a commission, including optional provisions for surety bonds and the examination of applicants. The act also includes optional provisions for the maintenance of journals of notarial acts.

For further information about the RULONA, please contact ULC Legislative Counsel, Brian Lewis at (312) 450-6619 or blewis@uniformlaws.org.