



WHY YOUR STATE SHOULD ADOPT THE REVISED UNIFORM LAW ON NOTARIAL ACTS (2021)

The Revised Uniform Law on Notarial Acts (RULONA 2021) updates and modernizes the 1982 Uniform Law on Notarial Acts. First revised in 2010 to update the provisions on notary responsibilities, electronic recording, interstate recognition, and remedies, it was further modified in 2018 and 2021 to provide that a person seeking a notarization may appear before the notarial officer either in person or using communications technology and to include provisions to assure the integrity and reliability of all notarized documents. RULONA (2021) 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.

- RULONA (2021) 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).
- RULONA (2021) 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.
- RULONA (2021) preserves the integrity and reliability of notarized documents. It requires any person seeking a notarization to appear in person before the notarial officer, who must verify the identity of the person and witness the signature or receive an acknowledgment or verification of the signature. The person may appear in the physical presence of the notarial officer or via communications technology. In the latter case, in addition to identification by the personal knowledge of the notary or verification by a witness, the notary may use two different technologies or processes to identify the person. In addition, the notary must be able to confirm that the record is the same one signed by the person and make an audio-visual recording of the notarial act.
- RULONA (2021) 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.

- RULONA (2021) 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.
- RULONA (2021) 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.
- RULONA (2021) includes provisions authorizing notaries to certify that a tangible copy of an electronic record is an accurate copy, and such a certified copy may be accepted for recording in the real estate records.

For further information about this uniform act, please contact Legislative Counsel Haley Tanzman at (312) 450-6620 or htanzman@uniformlaws.org.