

1 18 NCAC 07D .0101 is adopted with changes as published in 38:09 NCR 569 as follows:

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SECTION .0100 – GENERAL OBLIGATIONS

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18 NCAC 07D .0101 SCOPE

6 The ~~Rules~~ rules in this Subchapter set forth the continuing obligations of notaries public.

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8 *History Note: Authority G.S. 10B-4;*

9 *Eff. July 1, 2024.*

1 18 NCAC 07D .0102 is adopted with changes as published in 38:09 NCR 569 as follows:

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3 **18 NCAC 07D .0102 RESPONSE TO DEPARTMENT REQUESTS**

4 A notary public shall respond to a request by the Department for information, records, or an interview relating to
5 qualifications to be a notary or performance of notarial acts:

- 6 (1) in the manner and within the time period set by the Department; or
7 (2) as provided in an extension granted pursuant to Rule .0104 of this Section.

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9 *History Note:* *Authority G.S. 10B-4; 10B-126(f); 10B-134.17(c);*

10 *Eff. July 1, 2024.*

1 18 NCAC 07D .0103 is adopted with changes as published in 38:09 NCR 569 as follows:

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3 **18 NCAC 07D .0103 EXTENSION REQUEST TO DEPARTMENT**

4 (a) A notary public may submit a request for an extension of time to respond to a Department request pursuant to
5 Rule .0102 of this Section.

6 (b) A request pursuant to Paragraph (a) of this Rule shall:

7 (1) be for an extension lasting no more than 30 days; and

8 (2) include the reason an extension is necessary.

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10 *History Note: Authority G.S. 10B-4; 10B-126(f); 10B-134.17(c);*

11 *Eff. July 1, 2024.*

1 18 NCAC 07D .0104 is adopted as published in 38:09 NCR 569 as follows:

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3 **18 NCAC 07D .0104 DEPARTMENT RESPONSE TO EXTENSION REQUEST**

4 When deciding whether to grant an extension request, the Department shall consider the factors listed in 18 NCAC
5 07B .0108.

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7 History Note: Authority G.S. 10B-4; 10B-126(f); 10B-134.17(c);

8 Eff. July 1, 2024.

1 18 NCAC 07D .0301 is amended with changes as published in 38:09 NCR 569-570 as follows:

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3 **18 NCAC 07D .0301** **GENERAL** ~~[NOTICE OF CHANGE]~~ **OBLIGATIONS** **TO GIVE NOTICE OF**
4 **CHANGES IN PRIMARY INFORMATION**

5 ~~(a) A notary shall notify the Director of changes in name, address or county as required by G.S. 10B-50, 10B-51, and~~
6 ~~10B-53.~~

7 ~~(b) A notary shall notify the Director that the notary has been convicted of a crime as set out in G.S. 10B-3(9) and~~
8 ~~Rule .0201 of this Subchapter, within 45 days of the date on which judgment is entered.~~

9 ~~(c) A notary~~ **applicant or notary public** shall use the form specified in 18 NCAC 07B .0410 to notify the ~~Director~~
10 ~~Department~~ within 45 calendar days of changes ~~in:~~ in the **applicant's or notary's**:

11 (1) ~~Residency or place of work to a location outside the State of North Carolina;~~

12 (2) ~~Residency status in the United States;~~

13 (3) ~~Ability to speak, read and write the English language;~~

14 (4) ~~A finding or admission of liability in a civil lawsuit based upon the notary's deceit;~~

15 (5) ~~Revocation, suspension, restriction, or denial of a professional license by the State of North Carolina~~
16 ~~or any other state or nation;~~

17 (6) ~~A finding that the notary has engaged in official misconduct, whether or not disciplinary action~~
18 ~~resulted;~~

19 (7) ~~A finding or a charge that a notary has knowingly used false or misleading advertising in which the~~
20 ~~notary was represented as having powers, duties, rights or privileges that a North Carolina notary,~~
21 ~~by law, does not possess; or~~

22 (8) ~~The North Carolina State Bar or the courts of North Carolina or the bar or courts of any other state~~
23 ~~or nation finding that the notary has engaged in the unauthorized practice of law.~~

24 (1) name;

25 (2) mailing or street address;

26 (3) county of commission;

27 (4) residential or mobile telephone number;

28 (5) personal or business email address;

29 (6) status as a resident of the United States;

30 (7) ability to speak, read and write in the English language; or

31 (8) employer regarding:

32 (a) change of employer;

33 (b) change in employer business name. NOTE: A business changing from ABC, Inc. to ABC,
34 LLC is an example of a change in employer business name;

35 (c) change in employer street or mailing address; or

36 (d) change in employer telephone number.

1 ~~(d) A notary shall respond within the time period set out in a request from the Director for information, including a~~
2 ~~request for information regarding wrongful notarial acts alleged to have been performed by the notary.~~

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4 *History Note: Authority G.S. ~~10B-4; 10B-14(f);~~*

5 *Eff. April 1, 2007;*

6 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
7 *6, 2016;*

8 *Transferred from 18 NCAC 07B .0107 Eff. June 1, ~~2023; 2023;~~*

9 *Amended Eff. July 1, 2024.*

1 18 NCAC 07D .0302 is adopted with changes as published in 38:09 NCR 570 as follows:

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3 **18 NCAC 07D .0302 NOTICE TO DEPARTMENT OF PENDING CRIMINAL CHARGES**

4 A notary applicant or notary public shall notify the Department within 45 calendar days of a previously unreported
5 pending criminal charge against the applicant or notary by complying with 18 NCAC 07B .0505.

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7 *History Note: Authority G.S. 10B-4;*

8 *Eff. July 1, 2024.*

1 18 NCAC 07D .0303 is adopted with changes as published in 38:09 NCR 570 as follows:

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3 **18 NCAC 07D .0303 NOTICE TO DEPARTMENT OF CRIMINAL CHARGE DISPOSITION**

4 Within 45 calendar days of the date of the final disposition of a criminal charge against a ~~notary~~, notary applicant or
5 a notary public, the applicant or notary shall notify the Department by complying with 18 NCAC 07B .0506.

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7 *History Note: Authority G.S. 10B-4;*

8 *Eff. July 1, 2024.*

1 18 NCAC 07D .0304 is adopted with changes as published in 38:09 NCR 570 as follows:

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3 **18 NCAC 07D .0304 NOTICE TO DEPARTMENT OF FINDINGS OR ADMISSIONS OF DECEIT**

4 A notary ~~applicant or a notary~~ public shall use the form specified in 18 NCAC 07B .0413 to notify the Department
5 within 45 calendar days of a finding or admission of fault or liability in a civil lawsuit ~~regarding the notary's activity~~
6 ~~as a notary public~~ based on the applicant's or notary's deceit.

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8 *History Note: Authority G.S. 10B-4;*

9 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07D .0305 is adopted with changes as published in 38:09 NCR 570 as follows:

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3 **18 NCAC 07D .0305 NOTICE TO DEPARTMENT OF CHANGES TO PROFESSIONAL LICENSES,**
4 **NOTARY COMMISSIONS, OR PUBLIC OFFICES**

5 A notary applicant or notary public shall use the form specified in 18 NCAC 07B .0412 to notify the Department
6 within 45 calendar days of an issuance, a denial, a revocation, a suspension, a restriction, or a resignation of the
7 applicant's or notary's professional license, notary commission, or public office.

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9 *History Note: Authority G.S. 10B-4;*

10 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07D .0306 is adopted with changes as published in 38:09 NCR 570 as follows:

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3 **18 NCAC 07D .0306 NOTICE TO DEPARTMENT OF OFFICIAL MISCONDUCT**

4 A notary applicant or notary public shall use the form specified in 18 NCAC 07B .0413 to notify the Department
5 within 45 calendar days of a finding that the applicant or notary has engaged in official misconduct and shall provide
6 the Department with the documents and information required by 18 NCAC 07C .0208.

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8 *History Note: Authority G.S. 10B-4;*

9 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07D .0307 is adopted with changes as published in 38:09 NCR 570 as follows:

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3 **18 NCAC 07D .0307 NOTICE TO DEPARTMENT OF FALSE OR MISLEADING ADVERTISING**

4 A notary applicant or notary public shall use the form specified in 18 NCAC 07B .0413 to notify the Department
5 within 45 calendar days of a finding or a charge that the applicant or notary has knowingly used false or misleading
6 advertising that represents that the applicant or notary has powers, duties, rights, or privileges the applicant or notary
7 does not possess by law.

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9 *History Note: Authority G.S. 10B-4;*

10 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07D .0308 is adopted with changes as published in 38:09 NCR 570 as follows:

2

3 **18 NCAC 07D .0308 NOTICE TO DEPARTMENT REGARDING UNAUTHORIZED PRACTICE OF**
4 **LAW**

5 A notary applicant or notary public shall use the form specified in 18 NCAC 07B .0413 to notify the Department
6 within 45 calendar days of a finding by a court or the attorney-licensing agency of any state, federally recognized
7 tribe, or nation, that the applicant or notary has engaged in the unauthorized practice of law.

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9 *History Note:* Authority G.S. 10B-4;

10 *Eff. ~~July 1, 2024.~~ March 1, 2025.*