



The Department of the
NC Secretary of State

The Notary Newsletter



July, 2023 - Special Notary Law Change/ EVN Extension Edition



Special Edition

We are in the Dog Days of summer, and it's **HOT!** We hope everyone is enjoying their summer, but please remember to stay cool and stay hydrated.

Since there are new developments pertaining to notarial acts performed in our state, we are using this month's newsletter to focus on updates to ensure all of our notaries are informed.

If you have any questions for us, please reach out to the Department at notary@sosnc.gov. We are always happy to help.

EVN Is Extended Through 2024

Senate Bill 552 was signed in to law by Gov. Roy Cooper on June 23. This new law allows Emergency Video Notarization (EVN) to remain in place until the end of **June 2024** while work on Remote Electronic Notarization (REN) rules continues. There are some other highlights of the new law. They include the following:

- Emergency Video Notarizations (EVN) have resumed as a stop-gap measure to allow video notarizations while permanent REN procedures are being put in place. **EVN now expires on June 30, 2024 at 12:01am.**
- SB552 also *requires* notaries to maintain a journal of all public acts pursuant to rules adopted by the Secretary. We do not expect to have rules ready and in effect until next year and will keep you posted. You may find a downloadable notary journal template on our website: [Notary_Journal.pdf \(sosnc.gov\)](#)
- SB552 now makes it clear that no journal entry made in the course of performing a notarial act is subject to public record laws. This is unlike many other states, where the notary journal is subject to public record laws on the theory that that the journals are the work of a public official.
- Vendors and manufacturers of seals are now prohibited from providing a notary seal to a purchaser claiming to be a notary, unless the purchaser presents a notary commission issued by the Secretary and, in the case of a purchaser appearing in person, the vendor identifies the individual as the person named in the commission. In the case of a purchaser ordering a seal by mail or delivery service, the vendor/manufacture is to confirm the notary's standing as a commissioned notary using rules to be established by the Secretary. Like the journaling rules, we do not expect rules to be ready and effective before next year.

The Department is busy working on RENA (Remote Electronic Notary Act)

rules, which it will issue in three phases, all with a delayed effective date of next year. The first set of rules is due to be published in the NC Register later this summer.

Here is a link to EVN resources available on our website: [North Carolina Secretary of State Notary Emergency Video Notarization \(sosnc.gov\)](https://www.sosnc.gov)

If you have any questions for us, please reach out to the Department at notary@sosnc.gov. We are always happy to help.

Will Remote Electronic Notarization (REN) Automatically Begin on July 1?

No, REN **will not** begin on July 1st, and there's nothing automatic about it. Although you may have heard July 1, 2023 as a "Go-Live" date, that is NOT what the statute actually says. SB 552 make clear that no REN rule may become effective before July 1, 2024.

So, one might wonder, when will North Carolina notaries be able to conduct remote electronic notarizations?

Drafting rules is labor intensive and time consuming. Besides creating new rules focused on REN, some existing Notary and E-Notary rules also must be revised so they are consistent with the upcoming REN rules. All rules must be adopted in accordance with the very deliberative notice-and-comment provisions of the Administrative Procedure Act, and must meet the standards established by an independent body, the North Carolina Rules Review Commission. The Secretary of State started work last Summer. Comments to inform rulemaking are being collected now. Click [here](#) for further information.

Once rules are finally adopted, REN launch preparation begins. Platforms and third party vendors must apply, be screened and licensed, and then contract with North Carolina notaries. The Notary Manual must be revised to incorporate all the changes to the law and rules. Forms must be prepared to make it easier for applicants to provide essential information. All notary training must be updated and community colleges engaged so North Carolina notaries may learn how the changes apply to them, and be trained, tested and authorized to conduct remote electronic notarizations. We will also have to coordinate with the Registers of Deeds so that notaries receive the proper commission. All these tasks must be completed before the first REN can be conducted.

So, when will North Carolina notaries be able to use REN?

The short answer is we don't yet know. But, just given the mandatory time lines that have to be met before we can adopt rules to even start the program, we expect it will be a year or more before the RENA (Remote Electronic Notary Act) is up and running.

There is little need for those planning to implement REN to wait for RENA to be fully effective when the tools of IPEN (In-Person Electronic Notarization) and EVN can be utilized today to perform notarial acts.

It is highly likely that those who implement REN will also incorporate IPEN and that both will be employed to service remote as well as in person customers. Click [here](#) for information on becoming an electronic notary.

Join Us! For the 4th ANNUAL

eMortgage
Closing

CONFERENCE



Ken Sykes
Conference Chair

October 24rd & 25th
Greensboro, NC
Grandover Resort & Spa



Elaine F. Marshall
NC Secretary of State

Presented by the Department of the NC Secretary of State

Click [here](#) to register for the conference
Click [here](#) to view Save The Date video

Registration is open!

It's time to register for the Fourth Annual eMortgage conference!

Join us at the Grandover Hotel & Spa in Greensboro on October 24 and 25, 2023.

We have a tentative agenda up on our registration page, but it will be updated as we add more speakers and information.

We encourage everyone to make their hotel reservations at the Grandover as our room block will sell out quickly. Our office has negotiated a great rate of \$229 per night. Here's the link to make your hotel reservations: [Grandover Resort & Spa, a Wyndham Grand Hotel - Reservations - Room Availability \(synxis.com\)](https://www.synxis.com/Grandover-Resort-Spa-a-Wyndham-Grand-Hotel-Reservations-Room-Availability)

We are bringing the fun to the conference too by hosting a "playdate" on *October 23* for those who want to enjoy all of the amenities that the Grandover has to offer.

If you have any questions, email us at econf@sosnc.gov.

See you in Greensboro!

Elaine F. Marshall

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NC Notary Facebook Group

Have you joined our notary Facebook group yet?
The North Carolina Notary Network

Well, what are you waiting for? More than 17,033 notaries around the state are in the group. If you haven't joined yet, click the link and come on in!

The purpose of the group is to connect NC notaries as well as to give notaries an opportunity to share information, tips and ideas with one another.

When answering questions for fellow notaries, we encourage sharing page numbers, statutes or even pictures of citations from the *2016 NC Notary Public Manual*.

Click [here](#) to join today!



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