AN ACT ADOPTING THE REVISED UNIFORM LAW ON NOTARIAL ACTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (Effective October 1, 2020) Sections 1 to 32, inclusive, of this act may be cited as the "Revised Uniform Law on Notarial Acts (2018)."

Sec. 2. (NEW) (Effective October 1, 2020) As used in sections 1 to 32, inclusive, of this act:

(1) "Acknowledgment" means a declaration by an individual before a notarial officer that the individual has signed a record for the purpose stated in the record and, if the record is signed in a representative capacity, that the individual signed the record with proper authority and signed it as the act of the individual or entity identified in the record.

(2) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.
(3) "Electronic signature" means an electronic symbol, sound or process attached to or logically associated with a record and executed or adopted by an individual with the intent to sign the record.

(4) "In a representative capacity" means acting as:

(A) An authorized officer, agent, partner, trustee or other representative for a person other than an individual;

(B) A public officer, personal representative, guardian or other representative, in the capacity stated in a record;

(C) An agent or attorney-in-fact for a principal; or

(D) An authorized representative of another in any other capacity.

(5) "Notarial act" means an act, whether performed with respect to a tangible or electronic record, that a notarial officer may perform under the law of this state. "Notarial Act" includes taking an acknowledgment, administering an oath or affirmation, taking a verification on oath or affirmation, witnessing or attesting a signature, certifying or attesting a copy and noting a protest of a negotiable instrument.

(6) "Notarial officer" means a notary public or other individual authorized to perform a notarial act.

(7) "Notary public" means an individual appointed to perform a notarial act by the Secretary of the State.

(8) "Official stamp" means a physical image affixed to or embossed on a tangible record or an electronic image attached to or logically associated with an electronic record.

(9) "Person" means an individual, corporation, business trust, statutory trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency or instrumentality or any other legal or commercial entity.
(10) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(11) "Sign" means, with present intent to authenticate or adopt a record:

   (A) To execute or adopt a tangible symbol; or

   (B) To attach to or logically associate with the record an electronic symbol, sound or process.

(12) "Signature" means a tangible symbol or an electronic signature that evidences the signing of a record.

(13) "Stamping device" means:

   (A) A physical device capable of affixing to or embossing on a tangible record an official stamp; or

   (B) An electronic device or process capable of attaching to or logically associating with an electronic record an official stamp.

(14) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States.

(15) "Verification on oath or affirmation" means a declaration, made by an individual on oath or affirmation before a notarial officer, that a statement in a record is true.

Sec. 3. (NEW) (Effective October 1, 2020) Sections 1 to 32, inclusive, of this act apply to a notarial act performed on or after October 1, 2020.

Sec. 4. (NEW) (Effective October 1, 2020) (a) A notarial officer may perform a notarial act authorized by sections 1 to 32, inclusive, of this act or by any other provision of the general statutes.

(b) A notarial officer may not perform a notarial act with respect to a
record to which the officer or the officer's spouse is a party or in which either of them has a direct beneficial interest. A notarial act performed in violation of this subsection is voidable.

(c) A notarial officer may certify that a tangible copy of an electronic record is an accurate copy of the electronic record.

Sec. 5. (NEW) (Effective October 1, 2020) (a) A notarial officer who takes an acknowledgment of a record shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, that the individual appearing before the officer and making the acknowledgment has the identity claimed and that the signature on the record is the signature of the individual.

(b) A notarial officer who takes a verification of a statement on oath or affirmation shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, that the individual appearing before the officer and making the verification has the identity claimed and that the signature on the statement verified is the signature of the individual.

(c) A notarial officer who witnesses or attests to a signature shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, that the individual appearing before the officer and signing the record has the identity claimed.

(d) A notarial officer who certifies or attests a copy of a record or an item that was copied shall determine that the copy is a full, true and accurate transcription or reproduction of the record or item.

(e) A notarial officer who makes or notes a protest of a negotiable instrument shall determine the matters set forth in subsection (b) of section 42a-3-505 of the general statutes.

Sec. 6. (NEW) (Effective October 1, 2020) Except as provided in section 15 of this act, if a notarial act relates to a statement made in or a signature executed on a record, the individual making the statement or executing
the signature shall appear personally before the notarial officer.

Sec. 7. (NEW) (Effective October 1, 2020) (a) A notarial officer has personal knowledge of the identity of an individual appearing before the officer if the individual is personally known to the officer through dealings sufficient to provide reasonable certainty that the individual has the identity claimed.

(b) A notarial officer has satisfactory evidence of the identity of an individual appearing before the officer if the officer can identify the individual:

(1) By means of: (A) A passport, driver's license or government-issued nondriver identification card that is current or expired not more than three years before performance of the notarial act; or

(B) Another form of government identification issued to an individual that is current or expired not more than three years before performance of the notarial act, contains the signature or a photograph of the individual and is satisfactory to the officer; or

(2) By a verification on oath or affirmation of a credible witness personally appearing before the notarial officer and known to such officer or whom such officer can identify on the basis of a passport, driver's license or government-issued nondriver identification card that is current or expired not more than three years before performance of the notarial act.

(c) A notarial officer may require an individual to provide additional information or identification credentials necessary to assure the officer of the identity of the individual.

Sec. 8. (NEW) (Effective October 1, 2020) (a) A notarial officer may refuse to perform a notarial act if the officer is not satisfied that:

(1) The individual executing the record is competent or has the capacity to execute the record; or
(2) The individual's signature is knowingly and voluntarily made.

(b) A notarial officer may refuse to perform a notarial act unless refusal is prohibited by any other provision of the general statutes.

Sec. 9. (NEW) (Effective October 1, 2020) If an individual is physically unable to sign a record, the individual may direct an individual other than the notarial officer to sign the individual's name on the record. The notarial officer shall insert the phrase "Signature affixed by (name of other individual) at the direction of (name of individual)" or words of similar import.

Sec. 10. (NEW) (Effective October 1, 2020) (a) A notarial act may be performed in this state by:

(1) A notary public of this state;

(2) A judge, clerk or deputy clerk of the Superior Court or a Probate Court of this state or a family support magistrate;

(3) An individual licensed to practice law in this state;

(4) A town clerk;

(5) A justice of the peace; or

(6) Any other individual authorized to perform the specific act by the law of this state.

(b) The signature and title of an individual performing a notarial act in this state are prima facie evidence that the signature is genuine and that the individual holds the designated title.

(c) The signature and title of a notarial officer described in subdivisions (1), (2) and (3) of subsection (a) of this section conclusively establish the authority of the officer to perform the notarial act.

Sec. 11. (NEW) (Effective October 1, 2020) (a) A notarial act performed in another state has the same effect under the law of this state as if
performed by a notarial officer of this state, if the act performed in that
state is performed by:

(1) A notary public of that state;

(2) A judge, clerk or deputy clerk of a court of that state; or

(3) Any other individual authorized by the law of that state to
perform the notarial act.

(b) The signature and title of an individual performing a notarial act
in another state are prima facie evidence that the signature is genuine
and that the individual holds the designated title.

(c) The signature and title of a notarial officer described in
subdivision (1) or (2) of subsection (a) of this section conclusively
establish the authority of the officer to perform the notarial act.

Sec. 12. (NEW) (Effective October 1, 2020) (a) A notarial act performed
under the authority and in the jurisdiction of a federally recognized
Indian tribe has the same effect as if performed by a notarial officer of
this state if the act performed in the jurisdiction of the tribe is performed
by:

(1) A notary public of the tribe;

(2) A judge, clerk or deputy clerk of a court of the tribe; or

(3) Any other individual authorized by the law of the tribe to perform
the notarial act.

(b) The signature and title of an individual performing a notarial act
under the authority of and in the jurisdiction of a federally recognized
Indian tribe are prima facie evidence that the signature is genuine and
that the individual holds the designated title.

(c) The signature and title of a notarial officer described in
subdivision (1) or (2) of subsection (a) of this section conclusively
establish the authority of the officer to perform the notarial act.
Sec. 13. (NEW) (Effective October 1, 2020) (a) A notarial act performed under federal law has the same effect under the law of this state as if performed by a notarial officer of this state if the act performed under federal law is performed by:

(1) A judge, clerk or deputy clerk of a court;

(2) An individual in military service or performing duties under the authority of military service who is authorized to perform notarial acts under federal law;

(3) An individual designated a notarizing officer by the United States Department of State for performing notarial acts overseas; or

(4) Any other individual authorized by federal law to perform the notarial act.

(b) The signature and title of an individual acting under federal authority and performing a notarial act are prima facie evidence that the signature is genuine and that the individual holds the designated title.

(c) The signature and title of an officer described in subdivision (1), (2) or (3) of subsection (a) of this section conclusively establish the authority of the officer to perform the notarial act.

Sec. 14. (NEW) (Effective October 1, 2020) (a) In this section, "foreign state" means a government other than the United States, a state or a federally recognized Indian tribe.

(b) If a notarial act is performed under authority and in the jurisdiction of a foreign state or constituent unit of the foreign state or is performed under the authority of a multinational or international governmental organization, the act has the same effect under the law of this state as if performed by a notarial officer of this state.

(c) If the title of office and indication of authority to perform notarial acts in a foreign state appears in a digest of foreign law or in a list customarily used as a source for that information, the authority of an
officer with that title to perform notarial acts is conclusively established.

(d) The signature and official stamp of an individual holding an office described in subsection (c) of this section are prima facie evidence that the signature is genuine and the individual holds the designated title.

(e) An apostille in the form prescribed by the Hague Convention of October 5, 1961, and issued by a foreign state party to the Convention conclusively establishes that the signature of the notarial officer is genuine and that the officer holds the indicated office.

(f) A consular authentication issued by an individual designated by the United States Department of State as a notarizing officer for performing notarial acts overseas and attached to the record with respect to which the notarial act is performed conclusively establishes that the signature of the notarial officer is genuine and that the officer holds the indicated office.

Sec. 15. (NEW) (Effective October 1, 2020) (a) As used in this section:

(1) "Communication technology" means an electronic device or process that:

(A) Allows a notary public and a remotely located individual to communicate with each other simultaneously by sight and sound; and

(B) When necessary and consistent with other applicable law, facilitates communication with a remotely located individual who has a vision, hearing or speech impairment.

(2) "Foreign state" means a jurisdiction other than the United States, a state or a federally recognized Indian tribe.

(3) "Identity proofing" means a process or service by which a third person provides a notary public with a means to verify the identity of a remotely located individual by a review of personal information from public or private data sources.
(4) "Outside the United States" means a location outside the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands and any territory, insular possession or other location subject to the jurisdiction of the United States.

(5) "Remotely located individual" means an individual who is not in the physical presence of the notary public who performs a notarial act under subsection (c) of this section.

(b) A remotely located individual may comply with section 6 of this act by using communication technology to appear before a notary public.

(c) A notary public located in this state may perform a notarial act using communication technology for a remotely located individual if:

(1) The notary public:

(A) Has personal knowledge under subsection (a) of section 7 of this act of the identity of the individual;

(B) Has satisfactory evidence of the identity of the remotely located individual by oath or affirmation from a credible witness appearing before the notary public under subsection (b) of section 7 of this act or this section; or

(C) Has obtained satisfactory evidence of the identity of the remotely located individual by using at least two different types of identity proofing;

(2) The notary public is reasonably able to confirm that a record before the notary public is the same record in which the remotely located individual made a statement or on which the individual executed a signature;

(3) The notary public, or a person acting on behalf of the notary public, creates an audio-visual recording of the performance of the notarial act; and
(4) For a remotely located individual located outside the United States:

(A) The record:

(i) Is to be filed with or relates to a matter before a public official or court, governmental entity or other entity subject to the jurisdiction of the United States; or

(ii) Involves property located in the territorial jurisdiction of the United States or involves a transaction substantially connected with the United States; and

(B) The act of making the statement or signing the record is not prohibited by the foreign state in which the remotely located individual is located.

(d) If a notarial act is performed under this section, the certificate of notarial act required by section 16 of this act and the short-form certificate provided in section 17 of this act shall indicate that the notarial act was performed using communication technology.

(e) A short-form certificate provided in section 17 of this act for a notarial act subject to this section is sufficient if it:

(1) Complies with regulations adopted under subdivision (1) of subsection (h) of this section; or

(2) Is in the form provided in section 17 of this act and contains a statement substantially as follows: "This notarial act involved the use of communication technology."

(f) A notary public, a guardian, conservator or agent of a notary public or a personal representative of a deceased notary public shall retain the audio-visual recording created under subdivision (3) of subsection (c) of this section or cause the recording to be retained by a repository designated by or on behalf of the person required to retain the recording. Unless a different period is required by regulation
adopted under subdivision (4) of subsection (h) of this section, the recording shall be retained for a period of at least ten years after the recording is made.

(g) Before a notary public performs the notary public's initial notarial act under this section, the notary public shall notify the Secretary of the State that the notary public will be performing notarial acts with respect to remotely located individuals and identify the technologies the notary public intends to use. If the Secretary of the State has established standards under subsection (h) of this section and section 27 of this act for approval of communication technology or identity proofing, the communication technology and identity proofing shall conform to the standards.

(h) In addition to adopting regulations under section 27 of this act, the Secretary of the State may adopt regulations, in accordance with chapter 54 of the general statutes, under this section regarding performance of a notarial act. The regulations may:

(1) Prescribe the means of performing a notarial act involving a remotely located individual using communication technology;

(2) Establish standards for communication technology and identity proofing;

(3) Establish requirements or procedures to approve providers of communication technology and the process of identity proofing; and

(4) Establish standards and a period for the retention of an audio-visual recording created under subdivision (3) of subsection (c) of this section.

(i) Before adopting, amending or repealing a regulation governing performance of a notarial act with respect to a remotely located individual, the Secretary of the State shall consider:

(1) The most recent standards regarding the performance of a notarial act with respect to a remotely located individual promulgated by
national standard-setting organizations and the recommendations of
the National Association of Secretaries of State;

(2) Standards, practices and customs of other jurisdictions that have
laws substantially similar to this section; and

(3) The views of governmental officials and entities and other
interested persons.

(j) By allowing its communication technology or identity proofing to
facilitate a notarial act for a remotely located individual or by providing
storage of the audio-visual recording created under subdivision (3) of
subsection (c) of this section, the provider of the communication
technology, identity proofing or storage appoints the Secretary of the
State as the provider's agent for service of process in any civil action in
this state related to the notarial act.

Sec. 16. (NEW) (Effective October 1, 2020) (a) A notarial act shall be
evidenced by a certificate that shall:

(1) Be executed contemporaneously with the performance of the
notarial act;

(2) Be signed and dated by the notarial officer and, if the notarial
officer is a notary public, be signed in the same manner as on file with
the Secretary of the State;

(3) Identify the jurisdiction in which the notarial act is performed;

(4) Contain the title of office of the notarial officer; and

(5) If the notarial officer is a notary public, indicate the date of
expiration, if any, of the officer's appointment.

(b) If a notarial act regarding a tangible record is performed by a
notary public, an official stamp shall be affixed to or embossed on the
certificate. If a notarial act is performed regarding a tangible record by
a notarial officer other than a notary public and the certificate contains
the information specified in subdivisions (2) to (4), inclusive, of subsection (a) of this section, an official stamp may be affixed to or embossed on the certificate. If a notarial act regarding an electronic record is performed by a notarial officer and the certificate contains the information specified in subdivisions (2) to (4), inclusive, of subsection (a) of this section, an official stamp may be attached to or logically associated with the certificate.

(c) A certificate of a notarial act is sufficient if it meets the requirements of subsections (a) and (b) of this section and:

(1) Is in a short form set forth in section 17 of this act;

(2) Is in a form otherwise permitted by the law of this state;

(3) Is in a form permitted by the law applicable in the jurisdiction in which the notarial act was performed; or

(4) Sets forth the actions of the notarial officer and the actions are sufficient to meet the requirements of the notarial act as provided in sections 5 to 7, inclusive, of this act or any other provision of the general statutes.

(d) By executing a certificate of a notarial act, a notarial officer certifies that the officer has complied with the requirements and made the determinations specified in sections 4 to 6, inclusive, of this act.

(e) A notarial officer may not affix the officer's signature to, or logically associate it with, a certificate until the notarial act has been performed.

(f) If a notarial act is performed regarding a tangible record, a certificate shall be part of, or securely attached to, the record. If a notarial act is performed regarding an electronic record, the certificate shall be affixed to, or logically associated with, the electronic record. If the Secretary of the State has established standards pursuant to section 27 of this act for attaching, affixing or logically associating the certificate, the process shall conform to such standards.
Sec. 17. (NEW) (Effective October 1, 2020) The following short-form certificates of notarial acts are sufficient for the purposes indicated, if completed with the information required by subsections (a) and (b) of section 16 of this act:

(1) For an acknowledgment in an individual capacity:

State of ....

County of ....

This record was acknowledged before me on ____ by ________________

Date  Name(s) of individual(s)

Signature of notarial officer

Stamp

Title of office

My appointment expires: _______

(2) For an acknowledgment in a representative capacity:

State of ....

County of ....

This record was acknowledged before me on ____ by ________________

Date  Name(s) of individual(s)

as (type of authority, such as officer or trustee) of (name of party on behalf of whom record was executed).
409 Signature of notarial officer
410 Stamp
411 ____________________________
412 Title of office
413 My appointment expires: ________
414 (3) For a verification on oath or affirmation:
415 State of ....
416 County of ....
417 Signed and sworn to (or affirmed) before me on ___ by
418 ____________________________
419 Date Name(s) of individual(s) making statement
420 ____________________________
421 Signature of notarial officer
422 Stamp
423 ____________________________
424 Title of office
425 My appointment expires: ________
426 (4) For witnessing or attesting a signature:
427 State of ....
428 County of ....
429 Signed (or attested) before me on ______ by ____________________________
430 ____________________________ Date Name(s) of individual(s)
Sec. 18. (NEW) (Effective October 1, 2020) The official stamp of a notary public shall:

(1) Include the notary public's name, jurisdiction, appointment expiration date and other information required by the Secretary of the State; and
(2) Be capable of being copied together with the record to which it is affixed or attached or with which it is logically associated.

Sec. 19. (NEW) (Effective October 1, 2020) (a) A notary public is responsible for the security of the notary public's stamping device and may not allow another individual to use the device to perform a notarial act. On resignation from, or the revocation or expiration of, the notary public's appointment, or on the expiration of the date set forth in the stamping device, if any, the notary public shall disable the stamping device by destroying, defacing, damaging, erasing or securing it against use in a manner that renders it unusable. On the death or adjudication of incompetency of a notary public, the notary public's personal representative or guardian or any other person knowingly in possession of the stamping device shall render it unusable by destroying, defacing, damaging, erasing or securing it against use in a manner that renders it unusable.

(b) If a notary public's stamping device is lost or stolen, the notary public or the notary public's personal representative or guardian shall notify promptly the Secretary of the State on discovering that the device is lost or stolen.

Sec. 20. (NEW) (Effective October 1, 2020) (a) A notary public may select one or more tamper-evident technologies to perform notarial acts with respect to electronic records. A person may not require a notary public to perform a notarial act with respect to an electronic record with a technology that the notary public has not selected.

(b) Before a notary public performs the notary public's initial notarial act with respect to an electronic record, a notary public shall notify the Secretary of the State that the notary public will be performing notarial acts with respect to electronic records and identify the technology the notary public intends to use. If the Secretary of the State has established standards for approval of technology pursuant to section 27 of this act, the technology shall conform to the standards. If the technology conforms to the standards, the Secretary of the State shall approve the
use of the technology.

(c) A recorder may accept for recording a tangible copy of an electronic record containing a notarial certificate as satisfying any requirement that a record accepted for recording be an original, if the notarial officer executing the notarial certificate certifies that the tangible copy is an accurate copy of the electronic record.

Sec. 21. (NEW) (Effective October 1, 2020) (a) An individual qualified under subsection (b) of this section may apply to the Secretary of the State for an appointment as a notary public. The applicant shall comply with and provide the information required by regulations adopted by the Secretary of the State and pay any application fee.

(b) An applicant for an appointment as a notary public shall:

(1) Be at least eighteen years of age;

(2) Be a citizen or permanent legal resident of the United States;

(3) Be a resident of or have a place of employment or practice in this state;

(4) Be able to read and write English;

(5) Not be disqualified to receive an appointment under section 23 of this act; and

(6) Have passed the examination required under subsection (a) of section 22 of this act.

(c) Before issuance of an appointment as a notary public, an applicant for the appointment shall execute an oath of office and submit it to the Secretary of the State.

(d) On compliance with this section, the Secretary of the State shall issue an appointment as a notary public to an applicant for a term of five years.
(e) An appointment to act as a notary public authorizes the notary public to perform notarial acts. The appointment does not provide the notary public any immunity or benefit conferred by the law of this state on public officials or employees.

Sec. 22. (NEW) (Effective October 1, 2020) (a) An applicant for an appointment as a notary public who does not hold an appointment in this state shall pass an examination administered by the Secretary of the State or an entity approved by the Secretary of the State. The examination shall be based on the course of study described in subsection (b) of this section.

(b) The Secretary of the State or an entity approved by the Secretary of the State shall offer regularly a course of study to applicants who do not hold appointments as notaries public in this state. The course shall cover the laws, regulations, procedures and ethics relevant to notarial acts.

Sec. 23. (NEW) (Effective October 1, 2020) (a) The Secretary of the State may deny, refuse to renew, revoke, suspend or impose a condition on an appointment as notary public for any act or omission that demonstrates the individual lacks the honesty, integrity, competence or reliability to act as a notary public, including:

(1) Failure to comply with any provision of sections 1 to 32, inclusive, of this act;

(2) A fraudulent, dishonest or deceitful misstatement or omission in the application for an appointment as a notary public submitted to the Secretary of the State;

(3) A conviction of the applicant or notary public of any felony or a crime involving fraud, dishonesty or deceit;

(4) A finding against, or admission of liability by, the applicant or notary public in any legal proceeding or disciplinary action based on the applicant's or notary public's fraud, dishonesty or deceit;
(5) Failure by the notary public to discharge any duty required of a notary public, whether by any provision of sections 1 to 32, inclusive, of this act, regulations of the Secretary of the State or any federal or state law;

(6) Use of false or misleading advertising or representation by the notary public representing that the notary has a duty, right or privilege that the notary does not have;

(7) Violation by the notary public of a regulation of the Secretary of the State regarding a notary public; or

(8) Denial, refusal to renew, revocation, suspension or conditioning of a notary public appointment in another state.

(b) If the Secretary of the State denies, refuses to renew, revokes, suspends or imposes conditions on an appointment as a notary public, the applicant or notary public is entitled to timely notice and hearing in accordance with chapter 54 of the general statutes.

(c) The authority of the Secretary of the State to deny, refuse to renew, suspend, revoke or impose conditions on an appointment as a notary public does not prevent a person from seeking and obtaining other criminal or civil remedies provided by law.

Sec. 24. (NEW) (Effective October 1, 2020) The Secretary of the State shall maintain an electronic database of notaries public:

(1) Through which a person may verify the authority of a notary public to perform notarial acts; and

(2) Which indicates whether a notary public has notified the Secretary of the State that the notary public will be performing notarial acts on electronic records.

Sec. 25. (NEW) (Effective October 1, 2020) (a) An appointment as a notary public does not authorize an individual to:
(1) Assist persons in drafting legal records, give legal advice or otherwise practice law;

(2) Act as an immigration consultant or an expert on immigration matters;

(3) Represent a person in a judicial or administrative proceeding relating to immigration to the United States, United States citizenship or related matters; or

(4) Receive compensation for performing any of the activities listed in subdivisions (1) to (3), inclusive, of this subsection.

(b) A notary public may not engage in false or deceptive advertising.

(c) A notary public, other than an attorney licensed to practice law in this state, may not use the term "notario" or "notario publico".

(d) A notary public, other than an attorney licensed to practice law in this state, may not advertise or represent that the notary public may assist persons in drafting legal records, give legal advice or otherwise practice law. If a notary public who is not an attorney licensed to practice law in this state in any manner advertises or represents that the notary public offers notarial services, whether orally or in a record, including broadcast media, print media and the Internet, the notary public shall include the following statement, or an alternate statement authorized or required by the Secretary of the State, in the advertisement or representation, prominently and in each language used in the advertisement or representation: "I am not an attorney licensed to practice law in this state. I am not allowed to draft legal records, give advice on legal matters, including immigration, or charge a fee for those activities". If the form of advertisement or representation is not broadcast media, print media or the Internet and does not permit inclusion of the statement required by this subsection because of size, it shall be displayed prominently or provided at the place of performance of the notarial act before the notarial act is performed.
(e) Except as otherwise allowed by law, a notary public may not withhold access to or possession of an original record provided by a person that seeks performance of a notarial act by the notary public.

Sec. 26. (NEW) (Effective October 1, 2020) Except as otherwise provided in subsection (b) of section 4 of this act, the failure of a notarial officer to perform a duty or meet a requirement specified in sections 1 to 32, inclusive, of this act does not invalidate a notarial act performed by the notarial officer. The validity of a notarial act under sections 1 to 32, inclusive, of this act does not prevent an aggrieved person from seeking to invalidate the record or transaction that is the subject of the notarial act or from seeking other remedies based on any other provision of the general statutes or the law of the United States. This section does not validate a purported notarial act performed by an individual who does not have the authority to perform notarial acts.

Sec. 27. (NEW) (Effective October 1, 2020) (a) The Secretary of the State may adopt regulations, in accordance with chapter 54 of the general statutes, to implement the provisions of sections 1 to 32, inclusive, of this act. Regulations adopted regarding the performance of notarial acts with respect to electronic records may not require, or accord greater legal status or effect to, the implementation or application of a specific technology or technical specification. The regulations may:

(1) Prescribe the manner of performing notarial acts regarding tangible and electronic records;

(2) Include provisions to ensure that any change to or tampering with a record bearing a certificate of a notarial act is self-evident;

(3) Include provisions to ensure integrity in the creation, transmittal, storage or authentication of electronic records or signatures;

(4) Prescribe the process of granting, renewing, conditioning, denying, suspending or revoking a notary public appointment and assuring the trustworthiness of an individual holding an appointment as notary public;
(5) Include provisions to prevent fraud or mistake in the performance of notarial acts; and

(6) Provide for the administration of the examination under subsection (a) of section 22 of this act and the course of study under subsection (b) of section 22 of this act.

(b) In adopting, amending or repealing regulations about notarial acts with respect to electronic records, the Secretary of the State shall consider, so far as is consistent with sections 1 to 32, inclusive, of this act:

(1) The most recent standards regarding electronic records promulgated by national bodies, such as the National Association of Secretaries of State;

(2) Standards, practices and customs of other jurisdictions that substantially enact the provisions of sections 1 to 32, inclusive, of this act; and

(3) The views of governmental officials and entities and other interested persons.

Sec. 28. (NEW) (Effective October 1, 2020) An appointment as a notary public in effect on October 1, 2020, continues until its date of expiration. A notary public who applies to renew an appointment as a notary public on or after October 1, 2020, is subject to and shall comply with the provisions of sections 1 to 32, inclusive, of this act. A notary public, in performing notarial acts after October 1, 2020, shall comply with the provisions of sections 1 to 32, inclusive, of this act.

Sec. 29. (NEW) (Effective October 1, 2020) The provisions of sections 1 to 32, inclusive, of this act do not affect the validity or effect of a notarial act performed before October 1, 2020.

Sec. 30. (NEW) (Effective October 1, 2020) In applying and construing the provisions of sections 1 to 32, inclusive, of this act, consideration shall be given to the need to promote uniformity of the law with respect
to its subject matter among states that enact it.

Sec. 31. (NEW) (Effective October 1, 2020) Sections 1 to 32, inclusive, of this act modify, limit and supersede the Electronic Signatures in Global and National Commerce Act, 15 USC 7001 et seq., but do not modify, limit or supersede Section 101(c) of that act, 15 USC 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 USC 7003(b).

Sec. 32. Sections 1-28 to 1-41, inclusive, 1-57 to 1-65, inclusive, 3-94a to 3-94q, inclusive, and 3-95 of the general statutes are repealed. (Effective October 1, 2020)

This act shall take effect as follows and shall amend the following sections:

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<thead>
<tr>
<th>Section</th>
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<tr>
<td>Sec. 1</td>
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<td>Sec. 32</td>
<td>October 1, 2020</td>
<td>Repealer section</td>
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**Statement of Purpose:**
To adopt the Revised Uniform Law on Notarial Acts.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]