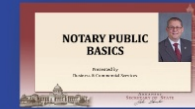
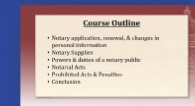


NOTARY PUBLIC BASICS



What is a Notary Public

Acts as an official and unbiased witness to the identity of a person who appears before the notary.



NOTARY PUBLIC BASICS



Presented by
Business & Commercial Services



ARKANSAS
SECRETARY OF STATE
John Houston



Disclaimer:

The information provided in this presentation is for informational purposes only and is intended for a general audience. This is not meant to be legal advice. Where there is any purported conflict between current law and this presentation – including case law and statutory law – please follow current law. It is not possible to insert current case law in this presentation, although every effort has been made to make this presentation relevant and current. In any event, please consult with your own private counsel in order to determine what the law is at the time of your inquiry, and how the law applies, to your own specific factual situation. Nothing in this presentation is intended to limit the Secretary of State from enforcing current law, even if the application of that law may not be apparent on the face of this presentation. The Secretary of State reserves the right to change, modify, or amend his opinion, and any of the statements herein, should there be any change in the law, including any subsequent Attorney General Opinion, court ruling, or statutory change. The Secretary of State and his subordinates are required to follow current state, federal, and applicable local law at all times. It is the official policy of the office to follow current law.

Course Outline

- Notary application, renewal, & changes in personal information
- Notary Supplies
- Powers & duties of a notary public
- Notarial Acts
- Prohibited Acts & Penalties
- Conclusion

What is a Notary Public

Acts as an official and unbiased witness to the identity of a person who appears before the notary





Notary Public Basics

Presented by Business and Commercial Services



Notary
Supplies

Notary
Application,
Renewal, and
Changes in
Personal
Information

Special Notarial
Circumstances

NOTARY
PUBLIC BASICS

Powers
and Duties

Prohibited Acts &
Penalties

Notarial Acts

Incomplete
Notarial
Certificates

Conclusion

Notary Supplies

Notary Seal

Notary Stamp or Seal (computer print includes)

- Your name as written on your official signature
- The name of your county of commission
- The words "Notary Public" and "Notary"
- Expiration date of your commission
- Notary Commission Number
- Must be legible if photograph
- Must be in blue or black ink

Seal & Bond

- Notary must take a seal or stamp or both of the words "Seal" and "Bond" in ink of the notary
- Notary must take a seal or stamp or both of the words "Seal" and "Bond" in ink of the notary

Notary Seal Examples



Facsimile Signature

- Facsimile signature is a copy of the notary's signature
- Facsimile signature is a copy of the notary's signature

What Is Wrong With This Seal?



Notary Register or Journal

- Notary must keep a register or journal
- May be paper or electronic
- Not required by law

Notary Seal Prohibitions

- Great Seal of the State of Arkansas
- Seal of the State of Arkansas



Notary Register or Journal

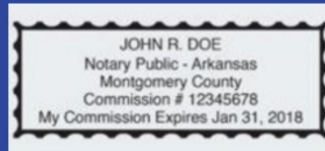
- Notary must keep a register or journal
- May be paper or electronic
- Not required by law

Notary Seal

Rubber Stamp or Metal Embosser must include:

- Your name as written in your official signature
- The name of your county of commission
- The words “Notary Public” and “Arkansas”
- Expiration date of your commission
- Notary Commission Number
- Must be capable of photocopy
- Must be in blue or black ink

Notary Seal Examples



What Is Wrong With This Seal?



Notary Seal Prohibitions

- Great Seal of the State of Arkansas
- Outline of Arkansas

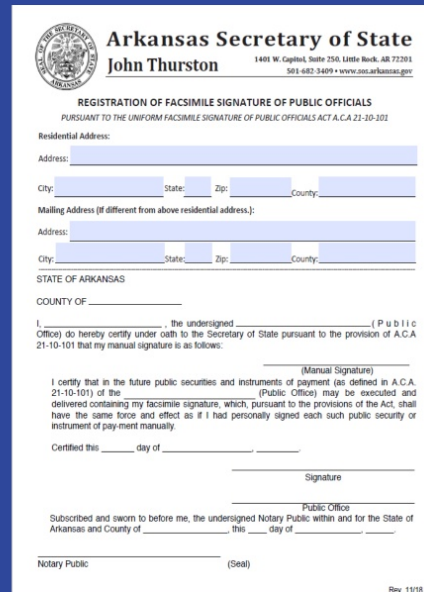


Seal & Bond

- Employer cannot take a seal or stamp or cancel the surety bond purchased on behalf of the employee
- Notary must obtain a new seal when renewing commission, changing name or moving to new county

Facsimile Signature

- Used in lieu of the manual signature and seal
- Not appropriate for deeds or real estate documents
- Notary must file with the Secretary of State's office to use



The form is titled "Arkansas Secretary of State" and "John Thurston". It includes the state seal and contact information. The main heading is "REGISTRATION OF FACSIMILE SIGNATURE OF PUBLIC OFFICIALS" followed by "PURSUANT TO THE UNIFORM FACSIMILE SIGNATURE OF PUBLIC OFFICIALS ACT A.C.A. 21-10-101". The form contains fields for Residential Address, City, State, Zip, and County. It also has a section for Mailing Address. Below these are fields for the State of Arkansas and the County. A section for the undersigned includes a line for the manual signature and a line for the public office. A certification section states: "I certify that in the future public securities and instruments of payment (as defined in A.C.A. 21-10-101) of the (Public Office) may be executed and delivered containing my facsimile signature, which, pursuant to the provisions of the Act, shall have the same force and effect as if I had personally signed each such public security or instrument of payment manually." This is followed by a line for the date of certification. The bottom section is for the Notary Public, with lines for the notary's name and a seal. The form is dated Rev. 11/18.

Arkansas Secretary of State
John Thurston
1401 W. Capitol, Suite 250, Little Rock, AR 72201
501-682-3409 • www.ass.arkansas.gov

REGISTRATION OF FACSIMILE SIGNATURE OF PUBLIC OFFICIALS
PURSUANT TO THE UNIFORM FACSIMILE SIGNATURE OF PUBLIC OFFICIALS ACT A.C.A. 21-10-101

Residential Address:
Address: _____
City: _____ State: _____ Zip: _____ County: _____
Mailing Address (if different from above residential address):
Address: _____
City: _____ State: _____ Zip: _____ County: _____
STATE OF ARKANSAS
COUNTY OF _____

I, _____, the undersigned _____ (Public Office) do hereby certify under oath to the Secretary of State pursuant to the provision of A.C.A. 21-10-101 that my manual signature is as follows:

(Manual Signature)
I certify that in the future public securities and instruments of payment (as defined in A.C.A. 21-10-101) of the _____ (Public Office) may be executed and delivered containing my facsimile signature, which, pursuant to the provisions of the Act, shall have the same force and effect as if I had personally signed each such public security or instrument of payment manually.
Certified this _____ day of _____, _____

Signature

Public Office
Subscribed and sworn to before me, the undersigned Notary Public within and for the State of Arkansas and County of _____, this _____ day of _____, _____
Notary Public _____ (Seal)

Rev. 11/18

Notary Register or Journal

- Admissible as evidence in court
- May be paper or electronic
- Not required by law

Notary Register or Journal

Suggested Format:

- 1.** Date of notarial act
- 2.** Type of act performed and document involved
- 3.** Name and address of each person whose signature was notarized
- 4.** Signature of each person whose signature was notarized
- 5.** A “notes” section of personal annotations
- 6.** Itemized list of fees collected



Notary Public Basics

Presented by Business and Commercial Services



Notary
Supplies

Notary
Application,
Renewal, and
Changes in
Personal
Information

Special Notarial
Circumstances

NOTARY
PUBLIC BASICS

Powers
and Duties

Prohibited Acts &
Penalties

Notarial Acts

Incomplete
Notarial
Certificates

Conclusion



Powers and Duties

Powers & Duties of Notaries

- Administering Oaths
- Taking Acknowledgements
- Certifying Affidavits
- Certifying Depositions
- Attending to Photocopies

Jurisdiction

- Statewide
- Notaries residing in adjoining states but working in Arkansas



Identification

- Proof of Identity
- Individual Witnesses
- Personally Known
- Personally Appears
- Witnesses the Signature



Expiration or Resignation of Commission

Expiration: Follow normal renewal steps previously listed

Resignation: Send written notice of resignation to Secretary of State and the Circuit Clerk's office; destroy notary stamp or seal

Jurisdiction

- Statewide
- Notaries residing in adjoining states but working in Arkansas



Expiration or Resignation of Commission

Expiration: Follow normal renewal steps previously listed

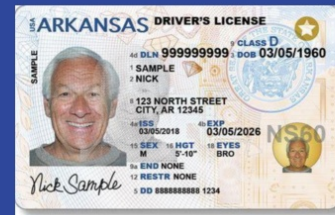
Resignation: Send written notice of resignation to Secretary of State and the Circuit Clerk's office; destroy notary stamp or seal

Powers & Duties of Notaries

- Administering Oaths
- Taking Acknowledgements
- Certifying Affidavits
- Certifying Depositions
- Attesting to Photocopies

Identification

- Proof of Identity
- Unbiased Witness
- Personally Knows
- Personally Appears
- Witness the Signature





Notary Public Basics

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Notary
Supplies

Notary
Application,
Renewal, and
Changes in
Personal
Information

NOTARY
PUBLIC BASICS

Powers
and Duties

Special Notarial
Circumstances

Prohibited Acts &
Penalties

Notarial Acts

Incomplete
Notarial
Certificates

Conclusion

Notarial Acts

A Notary Cannot Notarize:

- Their own signature
- A document in which the notary is a party
- A document that will be the notary's sole gain, direct or indirect financial benefit

A Notary Can Notarize:

- A handwritten document
- An acknowledgment, acknowledgment receipt, or acknowledgment
- A document that is a legal obligation
- A document that is a legal obligation
- A document that is a legal obligation
- A document that is a legal obligation
- A document that is a legal obligation

Note: Notaries are generally not concerned with the contents of a document, just the identity of the signer.

Acknowledgment Certificate

- A Notary's signature must match the signature on the document.
- The document must be the notary's sole gain, direct or indirect financial benefit.
- The document must be the notary's sole gain, direct or indirect financial benefit.

Before Notarizing A Document

- Identify the signers
- Verify whether they are signers
- Identify the nature of the document that will be signed
- Identify the nature of the document that will be signed
- Identify the nature of the document that will be signed
- Identify the nature of the document that will be signed
- Identify the nature of the document that will be signed

Apostilles & Certifications

- Apostilles are documents that are used to certify the validity of a document.
- Apostilles are documents that are used to certify the validity of a document.
- Apostilles are documents that are used to certify the validity of a document.

Attesting to Photocopies

Notary Public
Notary Public
Notary Public

Photocopies

Notary Public
Notary Public
Notary Public

Depositions

- A deposition is a written statement given by a witness under oath.
- A deposition is a written statement given by a witness under oath.
- A deposition is a written statement given by a witness under oath.

Administering Oaths

- A Notary Public is a public officer who administers oaths.
- A Notary Public is a public officer who administers oaths.
- A Notary Public is a public officer who administers oaths.

Acknowledgment Certificate

- A Notary Public is a public officer who administers oaths.
- A Notary Public is a public officer who administers oaths.
- A Notary Public is a public officer who administers oaths.

Oath of Office for Corporate Officials

- A Notary Public is a public officer who administers oaths.
- A Notary Public is a public officer who administers oaths.
- A Notary Public is a public officer who administers oaths.

Acknowledgment Certificate

- A Notary Public is a public officer who administers oaths.
- A Notary Public is a public officer who administers oaths.
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Taking Acknowledgements

- A Notary Public is a public officer who administers oaths.
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- A Notary Public is a public officer who administers oaths.

Certifying Affidavits

- A Notary Public is a public officer who administers oaths.
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- A Notary Public is a public officer who administers oaths.

Acknowledgment Certificate

- A Notary Public is a public officer who administers oaths.
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- A Notary Public is a public officer who administers oaths.

Affidavits

- A Notary Public is a public officer who administers oaths.
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- A Notary Public is a public officer who administers oaths.

Administering Oaths

A formal statement in which the person swears (or affirms):

- That the statement or group of statements is the truth; or
- That the testimony he/she will give will be the truth; or
- That he/she will faithfully perform the duties of a corporate office

Oath of Office for Corporate Officials

State of Arkansas

County of (where you are physically standing)

"I, _____, hereby enter into the position of _____ on behalf of _____ corporation. I affirm that I will fulfill these duties to the best of my ability and perform in accordance with the law and in the best interest of the corporation."

Signature

Subscribed and sworn before me this ____ day of ____, 20 ____.

Notary Signature

[NOTARY SEAL]

My commission expires

Taking Acknowledgements

- An acknowledgement is a formal statement by a person that a document is his/her own act
- In the Acknowledgement statement a notary is verifying who is signing the document and when and where the signing takes place

Acknowledgement Certificate

State of Arkansas

County of (where you are physically standing)

On this the ____ day of ____, 20 ____, before me, ____, (*name of notary*), the undersigned notary, personally appeared (*names(s) of signer(s)*) known to me (or satisfactorily proven) to be the person whose name(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained. In witness whereof I have hereunto set my hand and official seal .

Notary Public

[NOTARY SEAL]

My commission expires

Acknowledgement Certificate

- The first line of the acknowledgement should be the printed name of the **notary public witnessing the signature**
- The second line should include the **printed name of the signer of the application**

Acknowledgement Certificate

- Notary's signature must match the signature as it appears on the Notary commission certificate & stamp
- The County should reflect where the notarization occurred, which is not always the county where the notary is commissioned

Certifying Affidavits

- A written statement to which a person (the “Affiant”) makes an oath, swearing that the statements are true and complete
- Affidavits are often used in court cases

Affidavits

I, _____ (name of Affiant) being duly sworn, depose and say as follows:

1. Written statement
2. Written statement

Signature of Affiant

State of Arkansas

County of (where you are physically standing)

Acknowledged before me, this ____ day of ____, 20____.

Notary Public

[NOTARY SEAL]

My commission expires

Deposition

- Oral testimony given by a witness and reduced to writing for use in legal proceedings
- Depositions must be attested by a certified court reporter or they will not be accepted by Arkansas courts
- Notaries who are not court reports should not accept depositions as an act of the notarial office

Photocopies

Must supervise or make the copy yourself and include a statement of such.

- Permissible: school records, medical records, other documents
- Exclusions: vital records, public records

Attesting to Photocopies

State of Arkansas

County of (where you are physically standing)

I (name of notary public), certify this is a true and perfect copy of the original document (insert document type), presented to me on this ____ day of ____, 20 ____.

Notary Public

[NOTARY SEAL]

My commission expires

Apostilles & Certifications

- Required for documents to be used in foreign countries (not within the US)
- Based on a country's participation in the 1961 Hague Convention
- Must be translated in English prior to notarization
- Must still be reviewed and processed by the Secretary of State's office

Before Notarizing A Document

- Identify the signer(s)
- Notary verifies that the signer(s):
 - Understand the nature of the document they are about to sign
 - Appear to be acting of their own free will
 - Use letters or characters that are understood by both the signer(s) and notary
 - Communicate directly with the notary in a language understood by both the client(s) and notary

Acknowledgement Certificate

- Notary's signature must match the signature as it appears on the Notary commission certificate & stamp
- The County should reflect where the notarization occurred, which is not always the county where the notary is commissioned

A Notary Cannot Notarize:

- Their own signature
- A document to which the notary is a party
- A document from which the notary would gain direct or indirect financial benefit

A Notary Can Notarize:

- A handwritten document
 - Acknowledgement statement may also be handwritten
- A document in a foreign language
 - Translations required for Apostille or Certification
- Be cautious notarizing a relative's document
 - There might be direct or indirect financial benefit

Note: notaries are generally not concerned with the contents of a document, just the identity of the signer



Notary Public Basics

Presented by Business and Commercial Services

Notary
Supplies

Notary
Application,
Renewal, and
Changes in
Personal
Information

Special Notarial
Circumstances

NOTARY
PUBLIC BASICS

Powers
and Duties

Prohibited Acts &
Penalties

Notarial Acts

Incomplete
Notarial
Certificates

Conclusion

Incomplete Notarial Certificates

A Complete Notarial Certificate

The notary public must sign the certificate in the presence of the principal or principals and in the presence of the witnesses. The notary public must also sign the certificate in the presence of the witnesses. The notary public must also sign the certificate in the presence of the witnesses.

A Complete Notarial Certificate

- The official signature of the notary public as on file with the Secretary of State's Office.
- The official seal of the notary in compliance with Arkansas notary law.

Refusing to Perform A Notarial Act

- Arkansas law now allows for a notary to refuse to perform a notarial act for any [lawful] reason.
- The revised law also lists four main reasons a notary may refuse to notarize a document.

Incomplete Notarial Certificates

- Information contained within the notarial certificate is known or believed to be known by the notary public to be false.
- Notary public affixes a signature or seal on the certificate that is not compliant.

Refusing to Perform A Notarial Act

- The signer does not appear to understand the nature of the transaction that requires the notarial act.
- The signer does not appear to be acting of his or her own free will.

Incomplete Notarial Certificates

- An official seal or signature on the notarial certificate is removed at a time when the principal or signers were not present.
- A signed or sealed notarial certificate is associated with the understanding it will be completed or attached to a document outside the presence of the notary.

Refusing to Perform A Notarial Act

- The signer lacks the ability to sign the notarial document using letters or characters of a language that is understood by the notary public.
- The signer and notary are not able to communicate directly in a language understood by both the signer and notary.

A Complete Notarial Certificate

State of Arkansas
County of _____

Where the
notarization
occurred

Date of notarial act

On this the ____ day of _____, 20 ____, before me, _____ (*name of notary*), the undersigned notary, personally appeared (*names(s) of signer(s)*) known to me (or satisfactorily proven) to be the person whose name(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained. In witness whereof I have hereunto set my hand and official seal .

Notary Public

[NOTARY SEAL]

My commission expires

A Complete Notarial Certificate

- The official signature of the notary public as on file with the Secretary of State's Office.
- The official seal of the notary in compliance with Arkansas notary law.

Incomplete Notarial Certificates

- Information contained within the notarial certificate is known or believed to be known by the notary public to be false
- Notary public affixes a signature or seal on the certificate that is not compliant

Incomplete Notarial Certificates

- An official seal or signature on the notarial certificate is executed at a time when the principal or signer was not present
- A signed or sealed notarial certificate is executed with the understanding it will be completed or attached to a document outside the presence of the notary

Refusing to Perform A Notarial Act

- Arkansas law now allows for a notary to refuse to perform a notarial act for any [lawful] reason
- The revised law also lists four main reasons a notary may refuse to notarize a document

Refusing to Perform A Notarial Act

- The signer does not appear to understand the nature of the transaction that requires the notarial act
- The signer does not appear to be acting of his or her own free will

Refusing to Perform A Notarial Act

- The signer lacks the ability to sign the notarial document using letters or characters of a language that is understood by the notary public
- The signer and notary are not able to communicate directly in a language understood by both the signer and notary



Notary Public Basics

Presented by Business and Commercial Services

Notary
Supplies

Notary
Application,
Renewal, and
Changes in
Personal
Information

Special Notarial
Circumstances

Powers
and Duties

NOTARY
PUBLIC BASICS

Prohibited Acts &
Penalties

Notarial Acts

Incomplete
Notarial
Certificates

Conclusion

Special Notarial Circumstances

Special Notarial Circumstances

- Signature by Mark
- Physically Unable to Sign

Physically Unable to Sign

If a signer is physically unable to sign their name or make a mark, a disinterested third party may sign their name on their behalf when:

- The principal signer directs the disinterested third party to sign their name in the presence of two (2) other disinterested witnesses
- The signature is done in the presence of the two (2) disinterested witnesses and the notary public
- Each disinterested witness signs their name beside the signature

Signature by Mark

Signature by mark is legal when:

- The person making the mark lacks the ability to write or sign his/her name
- The mark is made in the presence of one (1) disinterested witness

Physically Unable to Sign

If a signer is physically unable to sign their name or make a mark, a disinterested third party may sign their name on their behalf when:

- A statement concerning the above act is included in the notarial statement
- Signature affixed by (name of third party) at the direction and in the presence of (name of principal unable to sign or make a mark) and also in the presence of (names of two witnesses)

Signature by Mark

Signature by mark is legal when:

- A statement is included in the notarial certificate attesting to the signature being made by mark in the presence of a witness
- "Mark affixed by (Name of signer by mark) in the presence of (name(s) of witness(es))"

Notary Fees

- In 2017, the \$1 (plus round-trip mileage) cap was removed
- Notaries may now charge a "reasonable amount"
- Fee must be disclosed to and agreed upon by the client PRIOR to the notarial act taking place

Special Notarial Circumstances

- Signature by Mark
- Physically Unable to Sign

Signature by Mark

Signature by mark is legal when:

- The person making the mark lacks the ability to write or sign his/her name
- The mark is made in the presence of one (1) disinterested witness

Signature by Mark

Signature by mark is legal when:

- A statement is included in the notarial certificate attesting to the signature being made by mark in the presence of a witness
- “Mark affixed by (Name of signor by mark) in the presence of (name(s) of witnesses)”

Physically Unable to Sign

If a signer is physically unable to sign their name or make a mark, a disinterested third party may sign their name on their behalf when:

- The principal signer directs the disinterested third party to sign their name in the presence of two (2) other disinterested witnesses
- The signature is done in the presence of the two (2) disinterested witnesses and the notary public
- Each disinterested witness signs their name beside the signature

Physically Unable to Sign

If a signer is physically unable to sign their name or make a mark, a disinterested third party may sign their name on their behalf when:

- A statement concerning the above act is included in the notarial statement
- “Signature affixed by (name of third party) at the direction and in the presence of (name of principal unable to sign or make a mark) and also in the presence of (names of two witnesses)”

Notary Fees

- In 2017, the \$5 (plus round-trip mileage) cap was removed
- Notaries may now charge a “reasonable amount”
- Fee must be disclosed to and agreed upon by the client PRIOR to the notarial act taking place



Notary Public Basics

Presented by Business and Commercial Services

Notary
Supplies

Notary
Application,
Renewal, and
Changes in
Personal
Information

Special Notarial
Circumstances

Powers
and Duties

NOTARY
PUBLIC BASICS

Prohibited Acts &
Penalties

Notarial Acts

Incomplete
Notarial
Certificates

Conclusion

Prohibited Acts & Penalties

Prohibited Acts

29-18-111. Unlawful act - Penalty
It is unlawful for any notary public to witness any signature on any instrument unless the notary public either:

- Witnessed the signing of the instrument and personally knows the signer or is personally present at the signing of the instrument;
- Recognizes the signature of the signer by virtue of familiarity with the signature (and he and others record);

Penalty/Revocation

The Secretary of State may revoke a notary public's commission upon a signed complaint from any person.

- Result in a Class A misdemeanor punishable by a fine of up to \$2,000 or up to 1 year in jail;
- Result in the denial or revocation of a notary public commission;
- Other legal concerns.

Prohibited Acts

21-14-111. Unlawful act - Penalty

- Any notary public violating this section shall be guilty of a Class A misdemeanor.

• For purposes of this section, "personally known" means having an acquaintance, derived from association with the individual, which constitutes the individual's identity with at least a reasonable certainty.

Prohibited Acts

4-109-101. Notaries Public

Requires Notaries Public advertising as "notaries" or "notaries public" to post the following notice in both English and Spanish:

"I am not a licensed attorney and cannot engage in the practice of law. I am not a representative of any governmental agency and neither can I investigate or identify and cannot offer legal advice or other assistance regarding investigations."

Prohibited Acts

21-14-111. Unlawful act – Penalty

It is unlawful for any notary public to witness any signature on any instrument unless the notary public either:

- Witnesses the signing of the instrument and personally knows the signer or is presented proof of the identity of the signer; or
- Recognizes the signature of the signer by virtue of familiarity with the signature (not for real estate records)

Prohibited Acts

21-14-111. Unlawful act – Penalty

- Any notary public violating this section shall be guilty of a Class A misdemeanor
- For purposes of this section, “personally knows” means having an acquaintance, derived from association with the individual, which establishes the individual's identity with at least a reasonable certainty

Prohibited Acts

4-109-103. Notario Publico

Requires Notaries Public advertising as “notario” or “notario publico” to post the following notice in both English and Spanish:

“I am not a licensed attorney and cannot engage in the practice of law. I am not a representative of any governmental agency with authority over immigration or citizenship, and I cannot offer legal advice or other assistance regarding immigration.”

Penalty/Revocation

The Secretary of State may investigate possible violations upon a signed complaint from any person.

- Result in a Class A misdemeanor punishable by a fine of up to \$1,000 or up to 1 year in jail
- Result in the denial or revocation of a notary public commission
- Other legal concerns



Notary Public Basics

Presented by Business and Commercial Services



Notary
Supplies

Notary
Application,
Renewal, and
Changes in
Personal
Information

NOTARY
PUBLIC BASICS

Powers
and Duties

Special Notarial
Circumstances

Prohibited Acts &
Penalties

Notarial Acts

Incomplete
Notarial
Certificates

Conclusion

Conclusion

2019 Legislation

Enacted for nonresident spouses of military personnel. The law has added the following requirements:

1) The nonresident spouse of a United States military service member employed or operating a business in Arkansas;
2) The spouse of a United States Department of Defense (DOD) Service 1275 or a United States Department of Defense (DOD) Service 1275 A, otherwise known as a Uniformed Services University and Privilege Card, shall be included with his or her application under this subsection.

eNotarization

- "Electronic" notarization
- Commission fees concurrent with traditional notary
- Fee, class, exam
- Not requires physical presence & ID verification
- Notarization provider required



Please refer to

for a guide to the online portal, the Arkansas Notary Public Handbook, and other information

David Easley

Arkansas Secretary of State-Late Division

Notary Public Information

Notary Public Information



2019 Legislation

Targeted for nonresident spouses of military personnel. The law has added the following requirements:

- (a) Nonresident spouse of a United States military service member employed or operating a business in Arkansas;
- (b) One (1) copy of a United States Department of Defense DD Form 1173 or a United States Department of Defense DD Form 1173-1, otherwise known as a Uniformed Services Identification and Privilege Card, shall be included with his or her application under this subsection;

eNotarization

- “Enhanced” notarization
- Commission runs concurrent with traditional notary
- Fee, class, exam
- Still requires physical proximity & ID verification
- Solution provider required



Please refer to
<https://bcs.sos.arkansas.gov/>
for a guide to the online portal, the
Arkansas Notary Public Handbook,
and other information

David Easley

Arkansas Secretary of State John Thurston

www.sos.arkansas.gov

Notary Public Administrator

David.easley@sos.Arkansas.gov

501-682-3541





Notary Public Basics

Presented by Business and Commercial Services

Notary
Supplies

Notary
Application,
Renewal, and
Changes in
Personal
Information

Special Notarial
Circumstances

Powers
and Duties

NOTARY
PUBLIC BASICS

Prohibited Acts &
Penalties

Notarial Acts

Incomplete
Notarial
Certificates

Conclusion

Notary Application, Renewal, and Changes in Personal Information

Qualifications & Requirements

- Resident of Michigan or holder of valid Michigan Driver's License
- Notary Public must be at least 18 years old
- U.S. Citizen or Naturalized American citizen
- Not married
- Not a resident of the U.S. or U.S. Poss.
- Not a Notary Public
- Not a Notary Public

On-Line Portal

- Access to the online portal
- Notary Public must be at least 18 years old
- Not a resident of the U.S. or U.S. Poss.
- Not a Notary Public
- Not a Notary Public

Application & Renewal Process

- Complete the application form
- Complete the renewal form
- Complete the application form
- Complete the renewal form
- Complete the application form
- Complete the renewal form
- Complete the application form
- Complete the renewal form

On-Line Portal

- Access to the online portal
- Notary Public must be at least 18 years old
- Not a resident of the U.S. or U.S. Poss.
- Not a Notary Public
- Not a Notary Public

Application & Renewal Process

- Complete the application form
- Complete the renewal form
- Complete the application form
- Complete the renewal form
- Complete the application form
- Complete the renewal form
- Complete the application form
- Complete the renewal form

On-Line Portal

- Access to the online portal
- Notary Public must be at least 18 years old
- Not a resident of the U.S. or U.S. Poss.
- Not a Notary Public
- Not a Notary Public

Surety Bond

- Notary Public must be at least 18 years old
- Not a resident of the U.S. or U.S. Poss.
- Not a Notary Public
- Not a Notary Public
- Not a Notary Public

Notary Public Commission

- Access to the online portal
- Notary Public must be at least 18 years old
- Not a resident of the U.S. or U.S. Poss.
- Not a Notary Public
- Not a Notary Public

Changes in Personal Information

- Complete the application form
- Complete the renewal form
- Complete the application form
- Complete the renewal form
- Complete the application form
- Complete the renewal form
- Complete the application form
- Complete the renewal form

Qualifications & Requirements

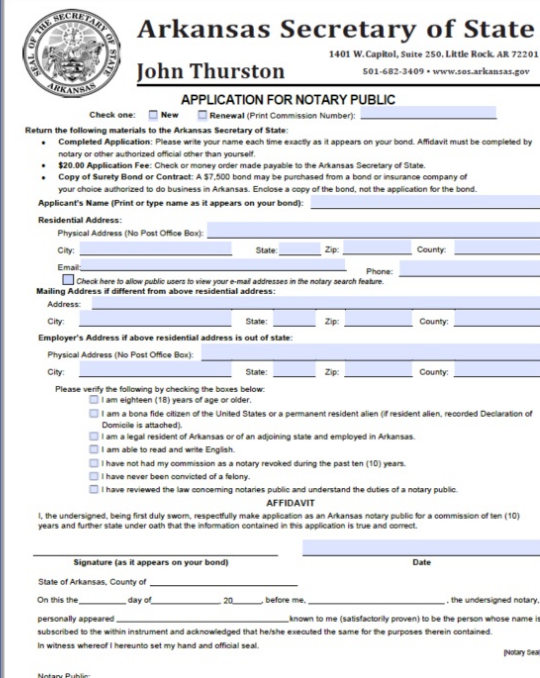
- Resident of Arkansas, or border state and employed in Arkansas, or nonresident spouse of US military member employed or operating a business in Arkansas
- U.S. Citizen or Permanent Resident Alien
- 18 Years of Age
- Read and Write English
- No Revocation in the Past 10 Years
- No Felony Convictions
- Have reviewed the law concerning notaries and understands the duties

Application & Renewal Process

1. Obtain a \$7,500 surety bond for county of residence
2. Complete the required application & exam on online portal
3. Mail copy of bond, notarized application, and filing fee
4. Oaths of Commission returned to applicant
5. File bond and oath with Circuit Clerk
6. Return file marked oath to the Secretary of State's office
7. After receiving certificate of commission & ID card from Secretary of State, order seal/stamp
8. 10-year term – apply for renewal 60 days before commission expires

✓ Applicant's name and signature must exactly match name on the bond

✓ Applications containing signatures corrected or changed with liquid paper are not acceptable



Arkansas Secretary of State
John Thurston
1401 W. Capitol, Suite 250, Little Rock, AR 72201
501-682-3409 • www.sos.arkansas.gov

APPLICATION FOR NOTARY PUBLIC

Check one: ☐ New ☐ Renewal (Print Commission Number): _____

Return the following materials to the Arkansas Secretary of State:

- **Completed Application:** Please write your name each time exactly as it appears on your bond. Affidavit must be completed by notary or other authorized official other than yourself.
- **\$20.00 Application Fee:** Check or money order made payable to the Arkansas Secretary of State.
- **Copy of Surety Bond or Contract:** A \$7,500 bond may be purchased from a bond or insurance company of your choice authorized to do business in Arkansas. Enclose a copy of the bond, not the application for the bond.

Applicant's Name (Print or type name as it appears on your bond): _____

Residential Address:

Physical Address (No Post Office Box): _____
City: _____ State: _____ Zip: _____ County: _____
Email: _____ Phone: _____
☐ Check here to allow public users to view your e-mail addresses in the notary search feature.

Mailing Address if different from above residential address:

Address: _____
City: _____ State: _____ Zip: _____ County: _____

Employer's Address if above residential address is out of state:

Physical Address (No Post Office Box): _____
City: _____ State: _____ Zip: _____ County: _____

Please verify the following by checking the boxes below:

- ☐ I am eighteen (18) years of age or older.
- ☐ I am a bona fide citizen of the United States or a permanent resident alien (if resident alien, recorded Declaration of Domicile is attached).
- ☐ I am a legal resident of Arkansas or of an adjoining state and employed in Arkansas.
- ☐ I am able to read and write English.
- ☐ I have not had my commission as a notary revoked during the past ten (10) years.
- ☐ I have never been convicted of a felony.
- ☐ I have reviewed the law concerning notaries public and understand the duties of a notary public.

AFFIDAVIT

I, the undersigned, being first duly sworn, respectfully make application as an Arkansas notary public for a commission of ten (10) years and further state under oath that the information contained in this application is true and correct.

Signature (as it appears on your bond) _____ Date _____

State of Arkansas, County of _____

On this the _____ day of _____, 20____, before me, _____, the undersigned notary, personally appeared _____, known to me (satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal. _____ [Notary Seal]

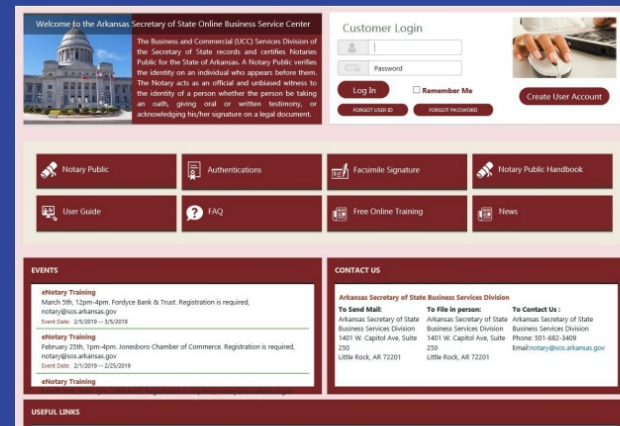
Notary Public: _____

Surety Bond

- \$7,500
- Protects the State
- Copy of bond sent to state and the Circuit Clerk's office
- Errors and Omissions Insurance Policy (optional) protects the Notary Public

On-Line Portal

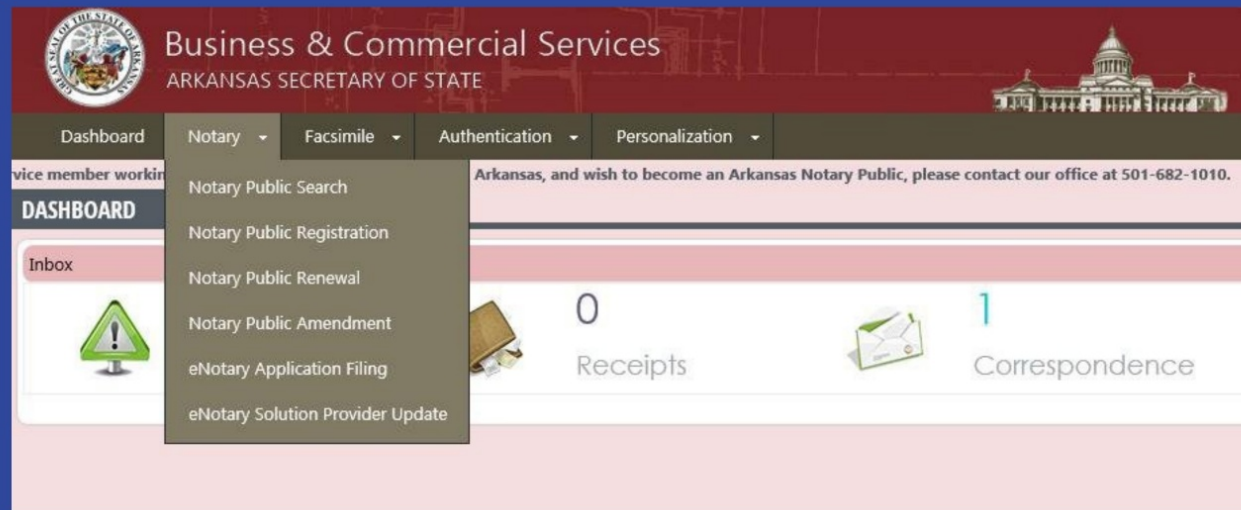
- Create a free user account at bcs.sos.arkansas.gov
- Test and forms are completed electronically
- Print and mail forms & fees to Secretary of State



On-Line Portal

- What information is made public?
 - Name, county of commission, 10 year commission date range, bonding agent, and e-mail address if you 'opt in'
- Notary completes "Notary Public Amendment" to report changes of address, email, or name
- Notary renewals and eNotary applications are also completed on the portal

On-Line Portal



Notary Public Commission

- County of commission is county where notary public *resides*
- Not valid until applicant receives certificate of commission and identification card from Secretary of State
- Must be transferred when county of residence changes (notify both county clerks)
- Notary must resign commission if moving out of state

Changes in Personal Information

- Report changes of address or name on “notary amendment” and mail to Secretary of State’s office within 30 days:

Certified copy of marriage license, divorce decree or court order, and the amendment form (online portal)

- Update information with the Circuit Clerk(s) and bonding agent if county changes; purchase new seal for county or name change.



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