

111:6-1-05**Online Notary Public Application.**

(A) A notary public who has been duly appointed and commissioned under section 147.01 of the Revised Code, and who is a resident of this state, may apply to the secretary of state for authorization to perform online notarizations public during the term of that notary public's commission. An application must be electronically submitted according to the process prescribed by the secretary of state and must include:

(1) The applicant's full legal name and notary public name as currently commissioned under section 147.01 of the Revised Code;

(2) The name of the online notarization system, technology or vendor of the platform that the applicant intends to use to perform online notarizations;

(3) A certification that the applicant will comply with the rules adopted under section 147.62 of the Revised Code;

(4) An electronic mail address of the applicant;

(5) If applicable, any decrypting instructions, keys, codes or software necessary for the secretary of state to use to read the application;

(6) Evidence of successful completion of at least two hours of education and testing provided by an authorized provider;

(7) A disclosure of any and all license or commission revocations or other professional disciplinary actions taken against the applicant; and

(8) A fee of twenty dollars to the secretary of state, which must be paid by credit card.

(B) The applicant shall submit to the authorized education and testing provider a fee of two hundred fifty dollars for the required education and testing program as described in division (A)(6) of this rule.

(C) Should an applicant fail the test required by section 147.63 of the Revised Code, the applicant may apply to retake the exam not sooner than 30 days following the date of the applicant's most recent examination, and no later than 6 months following date of completion of the education program. Should the applicant fail the exam a second time, the applicant must re-start the process with a new application.

(D) If the secretary of state is satisfied that an applicant meets the standards in rules adopted under section 147.62, and that the applicant is otherwise qualified to be authorized to perform online notarizations, then the secretary of state shall issue to the applicant a written authorization to perform online notarizations and indicate this authorization on the public database.

- (E) For attorneys, licensed to practice law in the state of Ohio, the authorization to perform online notarizations shall be valid for a period of five years or until the attorney's term of office as a notary public ends, whichever is earlier. For notaries who are not licensed to practice law in the state of Ohio, their authorization to perform online notarizations shall expire when their notary public commission expires.
- (F) An applicant may submit an application for a notary public commission and an application to be authorized as an online notary public simultaneously. Authorization as an online notary is dependent upon qualification for and issuance of a notary commission.
- (G) If, at any time, the notary public changes either the online notarization system or technology that the notary public intends to use to perform online notarizations, then the notary public shall inform the secretary of state of this intent on a form prescribed by the secretary of state and submitted electronically. An online notary public may use more than one online notarization system or technology, including an online notarization system not previously reported to the secretary of state. An online notary must report, to the secretary of state, use of any previously unreported online notarization system or technology within five days after the date the unreported technology system was first used. The notary public shall report use of previously unreported online notarization systems or technologies on a form prescribed by the secretary of state and submitted electronically. If the secretary of state determines that the new hardware or software does not meet the standards prescribed in rules under section 147.62 of the Revised Code, then the secretary may give notice to the notary public to obtain acceptable hardware or software and inform the secretary of state of the new acceptable technology to be used within 30 days. If the notary public fails to meet the standards, then the secretary of state may suspend or revoke the notary public's authority to perform online notarizations.

Effective:

Five Year Review (FYR) Dates:

Certification

Date

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| Promulgated Under: | 119.03 |
| Statutory Authority: | 147.63 |
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