

Ohio's New Notary Landscape

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Senate Bill 263: Why all the change?

- ▶ Standardize
 - ▶ Require education and testing
 - ▶ Electronic applications
- ▶ Centralize
 - ▶ OUT - 88 Courts of Common Pleas
 - ▶ IN - Ohio Secretary of State
 - ▶ Responsible for all commissions as well as disciplinary issues
- ▶ Online Notaries Public

New Process - September 20, 2019

- ▶ Application
- ▶ Bureau of Criminal Investigation Background Check
- ▶ Visit an Authorized Entity for Education and Testing
- ▶ Submit Proof of Successful Completion to Secretary of State
- ▶ Commission Mailed to Applicant
 - ▶ No need to file with Clerk of Courts

Ugh...Fees

- ▶ Application Fee of \$15 to Secretary of State for All Below
- ▶ New Traditional Notary Applicants (non-attorney)
 - ▶ \$130 for the education and test
- ▶ New Traditional Notary Applicants (attorney)
 - ▶ \$75 for the education
- ▶ Renewing Traditional Notary Commissions (non-attorney)
 - ▶ \$45 for the education

Traditional Notary

- ▶ Requirements
- ▶ Renewals
- ▶ Attorney Impact
- ▶ Changes
 - ▶ Acknowledgement
 - ▶ OUT: Affidavit --- IN: Jurat
 - ▶ Seal Size
 - ▶ Journal
 - ▶ Duty to Inform
 - ▶ Fees
 - ▶ Specific Prohibitions - Discussed Later

Online Notarization: What Is It?



Online Notaries

▶ Requirements

- ▶ Apply to Secretary of State
- ▶ Must Be a Traditional Notary Public
- ▶ Must Identify Technology the Applicant Will Be Using
- ▶ Education and Testing
- ▶ Attorney Applicants

▶ Renewals

- ▶ Commission Expiration
- ▶ Education

Ugh...Fees Part II

- ▶ Application Fee of \$20 to Secretary of State for All Below
- ▶ New Online Notary Applicants
 - ▶ \$250 for the education and test
- ▶ Online Notary Renewals
 - ▶ \$160 for the education

Online Notaries: Critical Aspects

- ▶ Must Know Technology
- ▶ Must Maintain Electronic Journal
- ▶ Fees for Providing an Online Notarization Up To \$25
- ▶ ORC 147.62 Focus on Identity Proofing
- ▶ ORC 147.591
 - ▶ Specific Language Discussing the Legality of Documents
 - ▶ Can't be Rejected Solely Because Notarized Online

Ohio Notary Services, LLC

- ▶ Collaboration and New Small Business
- ▶ Secretary of State
 - ▶ ONLY Entity Authorized To Educate and Test Traditional and Online Notary Applicants
- ▶ BecomeAnOhioNotary.com
 - ▶ In-Person
 - ▶ Online
- ▶ Supplies

ORC 147.032 - Notary Discipline

- ▶ Secretary of State
 - ▶ Investigatory Authority
- ▶ Discipline Hearings
 - ▶ Admonish
 - ▶ Suspend
 - ▶ Revoke - Permanent; May Not Reapply
- ▶ Advisory Board