

	Status	Paper/Electronic/Both	Where notary and signer are	Forms of ID allowed	Security requirements	Recording session, storing recording	Limits on types of doc to be notarized	Penalties on Remote Notary	Other notes
Model eNotarization Act	Model act	Electronic. 5A-2	Notary must be located within state. 5A-4(a) Signer may be in state, out of state, or out of country. If out of country: must not be prohibited in other country and record must pertain to US somehow. 5A-4(a), 5A-2	Personal knowledge, oath of a credible witness who personally knows the principal (witness must personally know the notary and be in the physical presence of the notary or signer), a dynamic knowledge-based authentication assessment by a trusted third person, a valid public key certificate that complies with rules adopted by the commissioning official, or an identity verification by a trusted third person that complies with rules adopted. 5A-5	Notarial act must be completed in single recorded session. Notary must be satisfied that the quality of the AV communication is sufficient to make the determinations required for the e-notarial act. A system must provide reasonable certainty parties are viewing the same record, allow the notary to verify identity, and require authentication to access. 5A-4 Proposed rules provide specific requirements for dynamic knowledge-based authentication and public key certificates.	Must record. Must provide for public and official access, inspection, and copying of those recordings. There must be a journal entry to match e-recording. At commencement of recording must recite info sufficient to identification and a declaration by signer that signer's e-signature on record was knowingly and voluntarily made. Recording must encompass all actions and spoken words of the notary, signer, and witness. The provisions governing security of physical journal apply to electronic recordings. 5A-6	No limits on types of acts or records. Section allows legislators to add their own limitations. If signer is out of country: act must not be prohibited in other country and record must pertain to US somehow. 5A-4(a), 5A-2	No liability provisions for remote notary specifically. Requires a surety bond, which may be in addition to any other bond required by the state. 5A-3	
Revised Uniform Law on Notarial Acts (RULONA)	Model act	Both paper and electronic. 14A(b)	Notary must be located within state. Signer must be located outside United States. 14A(b)(4)	Dynamic knowledge based authentication (called "identity proofing"). Personal knowledge. Credible witness. 14A(a)(2), (d)	Must notify appropriate commissioner before performing e-notary. With electronic records, tamper-evident tech must be used. AV communication must be simultaneous by sight and sound. 14A(a)(1), (b)(3), (i)	Must record. Must be corresponding physical journal entry. 14A(g)	Record must be part of or pertain to a matter to be filed with a US jurisdiction, involve property located within the US, or a transaction substantially connected to US. 14A(b)(2) Act must not be prohibited by foreign state. 14A(b)(4)	No provisions for remote notary specifically.	

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Virginia (Va. Code Ann. § 47.1)	Enacted	Electronic.	Virginia notaries may perform their duties outside of VA; signer may also be outside of VA. Act deemed to have been performed in Virginia. 47.1-13(B),(D)	1) Personal knowledge (if notary knows signer), 2) Antecedent proofing, signer has relationship with third party to confirm identity (must comply with Federal Bridge Certification Authority), 3) signer authenticated by (i) biometrics or (ii) a Personal Identity Verification 47-1.2, Assurance Standard 1.3	Real time audio and video communications. Persons communicating must simultaneously see and speak to one another. Must be live and real time. Must be secure from interception through unlawful means by anyone other than the persons communicating Assurance Standard 3. Additional requirements for notary signature, seals, and certificate in the assurance standards. Notary must keep devices and information current and secure. 47.1-14	Recording required by notary. This record must be kept for five years. 47.1-14(c) Assurance standards include security requirements for the record of the electronic notarial act (Assurance Standard 1.3).	No limits: may take acknowledgments; administer oaths and affirmations; certify affidavits or depositions; certify "true copies" of documents; perform verification of fact	Notary is solely responsible for ensuring the system he or she uses complies with requirements (Assurance Standard 1.1). Unclear what liability implications may be.	
Montana (Mont. Code Ann §§ 1-5-601-28)	Enacted	Both paper and electronic.	Signer must be a Montana resident. 1-5-615(3)(a)	1) Personal knowledge, 2) third party verification (credible witness). 1-5-615(3)(a)	Real time audio and video communications. Persons communicating must simultaneously see and speak to one another. 1-5-603(7)(a)	Recording required by notary. Signer must be notified of such recording. Notary and signer provide personal information. If signer known by personal knowledge by notary, must explain how know signer. Recording must be retained for 10 years and can be transferred to a repository approved by the SOS. 1-5-618(4)	Transaction must involve real property in MT; involve personal property titled in MT; be under jurisdiction of MT court; or be pursuant to a proxy marriage. 1-5-615(3)(b)	No provisions for remote notary specifically.	

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Texas HB 1217	Enacted	Both paper and electronic.	No limits on location of signer. 406.110(a)	Personal knowledge or each of the following: remote presentation by the person creating the electronic signature of a gov-issued ID that contains the signature and a photo of the person, a credential analysis of the credential above, and identity proofing of the person described. 406.110(b)	SOS shall develop and maintain standards for online notarization, including standards for credential analysis and identity proofing. 406.104 Must apply with SOS to be electronic notary. Notary must take reasonable steps to ensure the interaction is secure and maintain backups. 406.108(b)	Must maintain electronic record/journal of documents notarized online. Session must be recorded. If identification is by personal knowledge must recite background in recording. 406.108(a)	No limits.	Wrongful possession of software or hardware is a misdemeanor. 406.113	Notary signature and seal must also be capable of independent verification and tamper evident. 406.109(d) Effective date July 1, 2018.
Nevada AB 413	Enacted	Electronic.	Notary must be located within state. Sec. 36(2) Signer may be in state, out of state, or out of country. If out of country: must not be prohibited in other country and record must pertain to US somehow. Sec. 36(1)(a-c) Validity of the act determined by Nevada law. Sec. 36(2)	Personal knowledge (description of how they know signer must be in recording). Credible witness (who must appear in recording and explain how they know signer). Sec. 37(2) and (3) If not personal knowledge must have each of the following: gov ID in recording (with sig and photo), credential analysis of the gov ID, and a dynamic knowledge-based authentication assessment. Sec. 38(1)	Must register with SOS. Sec. 35(2) Must be able to see, hear and communicate in real time, see and speak simultaneously. Sec. 35(3) Electronic journal must be password protected. Sec. 51, 240.201(5) Requirements for notary seal and signature in 240.202.	Must record and store recordings. Recording must be accessible to the signer and notary. Sec. 37(4) May destroy the recording of the electronic will five or more years after the admission of any will of the testator to probate, five or more years after the revocation of the electronic will, five or more years after ceasing to serve as custodian of e-record, ten or more years after the death of the testator, or 150 years after the execution of the e-will. Sec. 12(1)(b)(1-5) Recording of all other notarial acts must be kept for at least 7 years. E-journal requirement Sec. 51(7)	Specific provisions concerning electronic wills. Sec. 10 Any electronic notarial acts an electronic notary may perform Sec. 35(1) If signer is out of country: act must not be prohibited in other country and record must pertain to US somehow. Sec. 36(1)(a-c)	No provisions for remote notary specifically.	