

Question: It was brought to my attention of a change for notaries regarding the notary block. What should I do differently?

Effective January 1, 2020, “[a]ny requiring notarization **may** be notarized electronically.” Section 117.021, Florida Statutes. This process, known as remote online notarization (RON), is where a signer and notary public use audio and video communication to notarize a signer’s electronic signature on an electronic document. The notary and the signer no longer have to be in each other’s actual physical presence. www.legalteamforlife.com

However, you are not required to conduct remote online notarization in order to notarize documents. You may notarize documents as you have done previously, but the notary block must be consistent with the change in the law. (Examples below)

To be able to perform this service (online notary public), you must:

- Be an existing notary public or other legally appointed person;
- Complete a classroom or online education training course and receive a certificate to be submitted with your registration;
- Contract with the appropriate third-party vendors BEFORE applying;
- Review the applicable statute and rules before applying; and
- Provide the dates of your current notary public commission and expiration.

The notary block has also changed, regardless of whether or not you are an online notary public. When notarizing a signature, a notary public shall complete a notarial certificate in substantially the same form as found in Section 117.05(13). The certificate of acknowledgment shall contain the following elements:

- Venue stating the location of the notary public;
- Type of notarial act performed evidenced by the words “sworn” or “acknowledged;”
- Whether the signer personally appeared before the notary public at the time of notarization by physical presence or by means of audio-video communication technology;
- The exact date of the notarial act;
- The name of the person whose signature is being notarized;
- The specific type of identification the notary public is relying upon in identifying the signer;
- The notary public’s official signature;
- The notary public’s name, which must be typed, printed, or stamped below the signature;
- The notary public’s official seal affixed below or to either side of the notary public’s signature.

Section 117.05, Florida Statutes

Pursuant to section 117.05(13), F.S., the following samples of notarial certificates are sufficient for the purposes indicated, if completed with the information required by the statute previously mention listed above; however, the examples below are not exhaustive of acceptable forms of notarial certificates. Please be reminded that if you have not taken the training course and satisfied all the conditions previously mentioned, you cannot check the “online notarization.”

Example A: For an oath or affirmation –

STATE OF FLORIDA
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this ____ day of (month), (year), by (name of person making statement) .

(Signature of Notary Public - State of Florida)
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification
Type of Identification Produced _____

Example B: For an acknowledgment in an individual capacity –

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of (month), (year), by (name of person acknowledging) .

(Signature of Notary Public - State of Florida)
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification
Type of Identification Produced _____

Example C: For an acknowledgment in a representative capacity –

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of (month), (year), by (name of person) as (type of authority, . . . e.g. officer, trustee, attorney in fact) for (name of party on behalf of whom instrument was executed) .

(Signature of Notary Public - State of Florida)
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification
Type of Identification Produced _____