

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Secretary of State

RULE CITATION: 18 NCAC 07I (note rule numbers within document)

**DEADLINE FOR RECEIPT: Wednesday, May 21, 2025**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of these Rules prior to the Commission's next meeting. The Commission has not yet reviewed these Rules and therefore there has not been a determination as to whether these Rules will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing these Rules, the staff recommends the following changes be made:

***18 NCAC 07I .0404: In item (3), will there always be a credible witness on an entry in an electronic journal? If not, change "the" to "any" or otherwise rewrite to reflect that there will not always be a credible witness.***

Please retype the rules accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

1 18 NCAC 07I .0404 is amended with changes as published in 39:13 NCR 831 as follows:

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3 **SECTION .0400 – ELECTRONIC JOURNAL REQUIREMENTS**

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5 **18 NCAC 07I .0404 INCLUDING SIGNATURES IN JOURNAL**

6 A notary public who maintains an electronic journal shall ensure that:

- 7 (1) the principals acknowledge that their electronic signatures have been included in the journal as  
8 signed on the documents in the transaction;
- 9 (2) with regard to designees signing on behalf of a principal:
- 10 (a) the designee signs the principal's name ~~pursuant to G.S. 10B-20(e) as signed~~ on the  
11 documents in the transaction being notarized pursuant to G.S. 10B-20(e), and the notary  
12 then includes the signature in the journal; ~~or and~~
- 13 (b) the designee signs his or her own name on the electronic notary solution for capture and  
14 the notary then includes the signature of the designee in the journal; and
- 15 (3) the credible witness signs his or her own name on [the electronic notary solution] an electronic  
16 journal for capture and the notary then includes the signature of the credible witness in the journal.  
17 journal where the notarial act is in person.

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19 *History Note: Authority G.S. 10B-4; 10B-38; 10B-126; 10B-134.15; 10B-134.21;*  
20 *Eff. July 1, ~~2024~~ 2024;*  
21 *Amended Eff. July 1, 2025.*