

1 18 NCAC 07C .0101 is adopted with changes as published in 38:09 NCR 563 as follows:

2
3 **SUBCHAPTER 07C – ~~ELECTRONIC NOTARY STANDARDS~~ PROCESS TO BECOME A NOTARY AND**
4 **RENEW A NOTARY COMMISSION**

5
6 **SECTION .0100 – GENERAL PROVISIONS**

7
8 **18 NCAC 07C .0101 SCOPE**

9 This Subchapter sets requirements for the application, commissioning, and recommissioning process for traditional
10 ~~notaries-~~ notaries public.

11
12 *History Note: Authority G.S. 10B-4;*

13 *Eff. July 1, 2024.*

1 18 NCAC 07C .0102 is adopted as published in 38:09 NCR 563 as follows:

2
3 **18 NCAC 07C .0102 DEFINITIONS RELATED TO APPLICATION AND RECOMMISSIONING**
4 **PROCESS**

5 For purposes of this Subchapter:

6 (1) “Commission applicant” is an applicant for an initial commission or for recommissioning as a
7 traditional notary public.

8 (2) “Exam” means a test prepared by the Department and administered by:

9 (a) a certified notary instructor; or

10 (b) the Department or its designee.

11
12 History Note: Authority G.S. 10B-4;

13 Eff. July 1, 2024.

1 18 NCAC 07C .0201 is amended with changes as published in 38:09 NCR 563 as follows:

2
3 **18 NCAC 07C .0201 INITIAL APPLICATION**

4 ~~(a) Application Form.~~

5 ~~(1) Applicants~~ An applicant for initial appointment as a traditional notary public who is not a licensed member of the
6 North Carolina State Bar ~~shall use the application form designated by the Division for that purpose and may download~~
7 ~~the application form from the Department's website. shall:~~

8 (1) ~~_____~~ possess a current personal copy of the North Carolina notary public manual applicable to traditional
9 notaries;

10 (2) ~~Applicants for initial appointment who are members of the North Carolina State Bar may download~~
11 ~~the application form from the Department's website and may file the completed application without~~
12 ~~first obtaining a signature from a notary instructor. successfully complete the notary course and~~
13 ~~exam; and~~

14 (3) ~~All other applicants for initial appointment who download the application form from the~~
15 ~~Department's website shall obtain a signature on the application from a notary instructor certifying~~
16 ~~that the applicant successfully completed the required course of instruction before the applicant may~~
17 ~~file the form with the Department. submit the application form specified in 18 NCAC 07B .0407.~~

18 Note: The official North Carolina notary public manual is written by the Department. The Department's website
19 includes information regarding where to purchase the manual.

20 ~~(b) Submission of Application. An applicant for an initial appointment shall submit his or her application by:~~

21 ~~(1) _____ U.S. mail;~~

22 ~~(2) _____ In person delivery; or~~

23 ~~(3) _____ Courier service.~~

24
25 *History Note: Authority G.S. 10B-4; ~~10B-14(f)~~;*

26 *Eff. April 1, 2007;*

27 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
28 *6, 2016;*

29 *Transferred from 18 NCAC 07B .0301 Eff. June 1, ~~2023~~. 2023;*

30 *Amended Eff. July 1, 2024. ~~March 1, 2025~~.*

1 18 NCAC 07C .0202 is amended with changes as published in 38:09 NCR 563-564 as follows:

2
3 **18 NCAC 07C .0202 TIMING**

4 ~~Submission deadline.~~ An applicant for initial appointment ~~who is not a licensed member of the North Carolina State~~
5 ~~Bar shall~~ as a traditional notary public shall:

6 (1) submit an application within three months after ~~passing~~ successfully completing the notary course
7 and examination required by G.S. 10B-8, exam; or

8 (2) if a licensed member of the North Carolina State Bar, comply with the rules in Section .0700 of this
9 Subchapter.

10
11 *History Note: Authority G.S. ~~10B-4; 10B-8; 10B-14(f);~~*

12 *Eff. April 1, 2007;*

13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
14 *6, 2016;*

15 *Transferred from 18 NCAC 07B .0302(a) Eff. June 1, ~~2023;~~ 2023;*

16 *Amended Eff. July 1, 2024.*

18 NCAC 07C .0203 is amended with changes as published in 38:09 NCR 564 as follows:

18 NCAC 07C .0203 ~~APPLICATION RECEIPT DATE~~ REQUIREMENTS FOR APPLICANTS
RESIDING OUTSIDE NORTH CAROLINA

Applications shall not be deemed received until complete. A commission applicant who resides outside the State of North Carolina and has a regular place of work or business in North Carolina shall submit an affidavit from the applicant's employer that ~~shall:~~ shall be on the employer's business letterhead, and include:

- (1) [be on the employer's business letterhead that includes:]
- (a) the [name] name, address, and telephone number of the employer's business;
- (b) the address of the employer's business; and
- (c) a telephone number and email address for the business; and]
- (2) [include:
- (a) the name of the applicant;
- (b) (3) affirmation that:
- (i) (a) the applicant works for the employer;
- (ii) (b) the applicant regularly spends all or part of the applicant's work time working for the employer in a physical location within the State of North Carolina; and
- (iii) (c) the street address of the physical location within North Carolina at which the applicant works; and
- (e) (4) the printed name and the signature of the individual signing the statement;
- (4) (5) the title of the individual signing the statement;
- (e) (6) a statement that the signer has the authority to sign on behalf of the employer;
- (4) (7) a telephone number and email address at which the signer can be contacted; and
- (e) (8) a jurat certificate.

History Note: Authority G.S. 10B-4; ~~10B-14(f)~~;

Eff. April 1, 2007;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;

Transferred from 18 NCAC 07B .0502(b) Eff. June 1, ~~2023~~ 2023:

Amended Eff. July 1, 2024.

1 18 NCAC 07C .0204 is adopted with changes as published in 38:09 NCR 564 as follows:

2
3 **18 NCAC 07C .0204 ADDITIONAL REQUIREMENTS FOR APPLICANTS LISTING CONVICTIONS**

4 A commission applicant who submits a criminal history record shall include with the application the information
5 required by 18 NCAC 07B .0500.

6
7 *History Note: Authority G.S. 10B-4;*

8 *Eff. July 1, 2024.*

1 18 NCAC 07C .0205 is adopted as published in 38:09 NCR 564 as follows:

2
3 **18 NCAC 07C .0205 REQUIREMENTS FOR APPLICANT WITH PENDING CRIMINAL CHARGES**

4 A commission applicant who has pending criminal charges in a court shall comply with 18 NCAC 07B .0505.

5
6 History Note: Authority G.S. 10B-4;

7 Eff. July 1, 2024.

1 18 NCAC 07C .0206 is adopted with changes as published in 38:09 NCR 564 as follows:

2
3 **18 NCAC 07C .0206 REQUIREMENTS FOR APPLICANTS REGARDING PROFESSIONAL**
4 **LICENSES, NOTARIAL COMMISSIONS, AND PUBLIC OFFICES**

5 A commission applicant who has applied for, holds, or has held a professional license, a notarial commission, or a
6 public office, shall comply with Section .0700 of Subchapter 07B 07B, ~~Section .0700~~, of this Chapter.

7
8 *History Note: Authority G.S. 10B-4;*

9 *Eff. ~~July 1, 2024~~ March 1, 2025.*

1 18 NCAC 07C .0207 is adopted with changes as published in 38:09 NCR 564 as follows:

2
3 **18 NCAC 07C .0207 FINDINGS OR ADMISSIONS OF LIABILITY AGAINST THE APPLICANT**
4 **BASED ON THE APPLICANT'S DECEIT**

5 A commission applicant ~~against whom~~ for whom, in a civil lawsuit, there has been a finding or admission of fault or
6 liability based on the applicant's deceit in a civil lawsuit regarding the applicant's activity as a notary public based on
7 ~~the applicant's deceit~~ shall include with the application:

- 8 (1) a list of each finding or admission;
- 9 (2) a copy of the document containing the finding or admission;
- 10 (3) a brief description of the circumstances surrounding the finding or admission;
- 11 (4) if not included in the document in Item (2) of this Rule:
 - 12 (a) the date on which the finding or admission was made;
 - 13 (b) the ~~governmental agency or~~ court in which the civil lawsuit was filed; and
 - 14 (c) the case name and docket number; and
- 15 (5) any additional information that the applicant wishes the Department to consider.

16
17 *History Note: Authority G.S. 10B-4;*
18 *Eff. ~~July 1, 2024~~ March 1, 2025.*

1 18 NCAC 07C .0208 is adopted with changes as published in 38:09 NCR 564-565 as follows:

2
3 **18 NCAC 07C .0208 FINDINGS THAT THE APPLICANT ENGAGED IN OFFICIAL MISCONDUCT**

4 A commission applicant who is, has previously been, or has acted in the capacity as a notary public of any locality,
5 state, federally recognized tribe, or nation, and who has listed on the application findings of official misconduct, civil
6 findings, or admissions of fault or liability regarding the applicant's activities as a notary, ~~misconduct as a notary on~~
7 the application, shall include with the application:

- 8 (1) the name of the court or governmental ~~agency~~ agency, board, or commission that made the finding;
9 (2) a copy of the document in which the official misconduct finding was made;
10 (3) if not included in the document in Item (2) of this Rule:
11 (a) the date on which the finding or admission was made;
12 (b) the court or governmental ~~agency or court~~ agency, board or commission that made the
13 finding; and
14 (c) the case name and docket number, or similar unique designation;
15 (4) a description of the circumstances surrounding the finding; and
16 (5) any additional information that the applicant wishes the Department to consider.

17
18 *History Note: Authority G.S. 10B-4;*
19 *Eff. ~~July 1, 2024~~ March 1, 2025.*

1 18 NCAC 07C .0209 is adopted with changes as published in 38:09 NCR 565 as follows:

2
3 **18 NCAC 07C .0209 FINDING OF UNAUTHORIZED PRACTICE OF LAW**

4 A commission applicant against whom a finding has been made that the applicant engaged in the unauthorized practice
5 of law shall include with the application:

- 6 (1) the name of the court or governmental agency or court agency, board, or commission that made the
7 finding;
8 (2) a copy of the finding;
9 (3) the date of the finding, if not included in the copy provided pursuant to Item (2) of this Rule;
10 (4) a description of the circumstances surrounding the finding; and
11 (5) any additional information that the applicant wishes the Department to consider.
12

13 *History Note: Authority G.S. 10B-4;*

14 *Eff. ~~July 1, 2024~~ March 1, 2025.*

1 18 NCAC 07C .0210 is adopted with changes as published in 38:09 NCR 565 as follows:

2
3 **18 NCAC 07C .0210 FINDING OF FALSE OR MISLEADING ADVERTISING**

4 A commission applicant against whom a charge or finding has been made that as a notary public, the notary knowingly
5 used false or misleading advertising that represents that the notary has powers, duties, rights, or privileges not
6 conveyed by law, shall include with the application:

- 7 (1) the name of the court or governmental agency or court agency, board, or commission in which the
8 charge or finding is made;
9 (2) a copy of the charge or finding;
10 (3) the date of the charge or finding, if not included in the copy provided pursuant to Item (2) of this
11 Rule;
12 (4) a description of the circumstances surrounding the charge or finding; and
13 (5) any additional information that the applicant wishes the Department to consider.
14

15 *History Note: Authority G.S. 10B-4;*

16 *Eff. ~~July 1, 2024~~ March 1, 2025.*

1 18 NCAC 07C .0301 is adopted with changes as published in 38:09 NCR 565 as follows:

2
3 **18 NCAC 07C .0301 COURSES TAUGHT BY CERTIFIED NOTARY INSTRUCTORS**

4 An applicant for an initial notary commission shall successfully complete a notary course taught by a certified notary
5 instructor before submitting an initial commission application to the Department.

6
7 *History Note: Authority G.S. 10B-4;*
8 *Eff. July 1, 2024.*

1 18 NCAC 07C .0303 is adopted as published in 38:09 NCR 565 as follows:

2
3 **18 NCAC 07C .0303 PRESENTATION OF SATISFACTORY EVIDENCE OF IDENTITY IN**
4 **CONNECTION WITH NOTARY COURSE**

5 A commission applicant who is not personally known to the certified notary instructor shall present satisfactory
6 evidence of identity to the notary instructor:

- 7 (1) before the course begins;
8 (2) before the instructor signs the application; and
9 (3) upon request of the instructor at any other time during the course.

10
11 History Note: Authority G.S. 10B-4;
12 Eff. July 1, 2024.

1 18 NCAC 07C .0304 is adopted as published in 38:09 NCR 565 as follows:

2
3 **18 NCAC 07C .0304 SATISFACTORY EVIDENCE PRESENTED TO INSTRUCTOR**

4 The satisfactory evidence of identity presented to a certified notary instructor pursuant to Rule .0303 of this Section
5 shall match the applicant's name for use on a notary public commission.

6
7 History Note: Authority G.S. 10B-4;

8 Eff. July 1, 2024.

1 18 NCAC 07C .0305 is adopted with changes as published in 38:09 NCR 565 as follows:

2
3 **18 NCAC 07C .0305 RETESTING**

4 A notary applicant who fails to achieve a passing grade on the notary course exam and who wishes to be commissioned
5 as a notary public may retake the exam if:

- 6 (1) the institution at which the course is taught permits retesting; and
7 (2) the retest is taken within 30 days of the date of the exam failure.

8
9 *History Note: Authority 10B-4;*

10 *Eff. July 1, 2024.*

1 18 NCAC 07C .0401 is amended with changes as published in 38:09 NCR 565 as follows:

2
3 **18 NCAC 07C .0401 APPOINTMENT**

4 ~~(a) Upon determination that an applicant has complied with all requirements of the Act and this Subchapter, the~~
5 ~~Director~~ The Department shall appoint or reappoint ~~the~~ an applicant to the office of notary public after reviewing the
6 application submitted by the applicant and determining that: ~~and issue a commissioning certificate.~~

7 (1) the application is accepted; and

8 (2) the applicant is qualified to be appointed pursuant to N.C. Const. Art. VI, Sec. 8, Chapter 10B of
9 the General Statutes, and the [Rules] rules in this Chapter.

10 ~~(b) The Division shall send the commissioning certificate to the Register of Deeds in the county of commissioning.~~

11 ~~(c) The Division shall send the appointee notice that:~~

12 ~~(1) The commissioning certificate has been issued; and~~

13 ~~(2) The appointee shall appear within 45 days of the commissioning date to take the oath of office before~~
14 ~~the Register of Deeds in the county of commissioning.~~

15
16 *History Note: Authority G.S. ~~10B-2; 10B-4; 10B-5; 10B-10; 10B-11; 10B-14(f);~~*

17 *Eff. April 1, 2007;*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
19 *6, 2016;*

20 *Transferred from ~~18 NCA 07B .0501~~ 18 NCAC 07B .0501 Eff. June 1, ~~2023;~~ 2023;*

21 *Amended Eff. [July 1, 2024.] March 1, 2025.*

1 18 NCAC 07C .0402 is adopted with changes as published in 38:09 NCR 566 as follows:

2
3 **18 NCAC 07C .0402 ISSUANCE OF CERTIFICATES**

4 The Department shall provide:

- 5 (1) to the Register of Deeds in the county of the ~~notary's~~ notary public's commissioning:
- 6 (a) a certificate of appointment that includes the appointee's full legal name and the
- 7 commission name of the appointee; and
- 8 (b) a commission certificate in the commission name of the appointee to be used by the
- 9 Register of Deeds to document that the notary oath has been administered to the appointee;
- 10 and
- 11 (2) a duplicate commission certificate to a notary public, upon request to the Department.
- 12

13 *History Note:* *Authority G.S. 10B-4;*

14 *Eff. ~~July 1, 2024.~~ March 1, 2025.*

1 18 NCAC 07C .0403 is adopted with changes as published in 38:09 NCR 566 as follows:

2
3 **18 NCAC 07C .0403 NOTICE TO APPOINTEE**

4 The Department shall send the appointee notice that:

- 5 (1) the certificate of appointment has been issued; and
6 (2) the appointee shall appear before the Register of Deeds in the county of commissioning and take the
7 oath of office within 45 days of the certificate of appointment issuance date.
8

9 *History Note: Authority G.S. 10B-4;*

10 *Eff. ~~July 1, 2024~~ March 1, 2025.*

1 18 NCAC 07C .0404 is amended with changes as published in 38:09 NCR 566 as follows:

2
3 **18 NCAC 07C .0404 ~~NO BACK-DATING~~ COMMISSION CERTIFICATE**

4 ~~A commissioning certificate shall not be back dated.~~

5 A commission certificate:

6 (1) shall not be valid until the oath of office has been taken; and

7 (2) shall include:

8 (a) the appointee's name for use on a notary public commission;

9 (b) the county of commissioning;

10 (c) the beginning date of the commission; and

11 (d) the expiration date of the commission.

12
13 *History Note: Authority G.S. 10B-4; ~~10B-14(f)~~;*

14 *Eff. April 1, 2007;*

15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
16 *6, 2016;*

17 *Transferred from 18 NCAC 07B .0502(a) Eff. June 1, ~~2023~~ 2023;*

18 *Amended Eff. [July 1, 2024.] March 1, 2025.*

1 18 NCAC 07C .0405 is amended as published in 38:09 NCR 566 as follows:

2
3 **18 NCAC 07C .0405 SATISFACTORY EVIDENCE OF IDENTITY**

4 ~~(a)~~ Before taking the oath of office, an appointee ~~shall~~ shall:

5 (1) present satisfactory evidence matching the appointee's name on the certificate of appointment to the
6 Register of Deeds Deeds, assistant Register of Deeds, or deputy Register of Deeds who will
7 administer the oath of office; or satisfactory evidence of the appointee's identity as set out in G.S.
8 10B-3(22).

9 (2) be personally known to the Register of Deeds, assistant Register of Deeds, or deputy Register of
10 Deeds who will administer the oath of office.

11 ~~(b) The Register of Deeds shall document the type of evidence provided by the appointee on the form provided by the~~
12 ~~Department.~~

13 ~~(c) After administering the oath of office the Register of Deeds shall deliver the commissioning certificate to the notary~~
14 ~~public.~~

15
16 *History Note: Authority G.S. ~~10B-2; 10B-3(22); 10B-4; 10B-9; 10B-10; 10B-11; 10B-14(f);~~*

17 *Eff. April 1, 2007;*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
19 *6, 2016;*

20 *Transferred from 18 NCAC 07B .0503 Eff. June 1, ~~2023;~~ 2023;*

21 *Amended Eff. July 1, 2024.*

1 18 NCAC 07C .0406 is adopted with changes as published in 38:09 NCR 566 as follows:

2
3 **18 NCAC 07C .0406 REGISTER OF DEEDS**

4 After administering the oath of office, the Register of Deeds, assistant Register of Deeds, or deputy Register of Deeds
5 shall:

- 6 (1) require that the notary public sign the certificate of appointment;
7 (2) sign and date the certificate of appointment;
8 (3) record the certificate of appointment as required by G.S. 10B-10(c);
9 (4) deliver the commission certificate to the ~~notary public~~, notary, and
10 (5) deliver notice to the Department as required by G.S. 10B-10(d).

11
12 *History Note: Authority G.S. 10B-4;*

13 *Eff. July 1, 2024.*

1 18 NCAC 07C .0407 is adopted with changes as published in 38:09 NCR 566 as follows:

2
3 **18 NCAC 07C .0407 PERFORMING TRADITIONAL NOTARIAL ACTS**

4 No individual may perform a notarial act unless the individual has ~~[is in possession of]~~ a valid commission certificate.

5
6 *History Note: Authority G.S. 10B-4;*

7 *Eff. July 1, 2024.*

1 18 NCAC 07C .0409 is amended with changes as published in 38:09 NCR 566 as follows:

2
3 **18 NCAC 07C .0409 TERM OF ~~OFFICE~~ COMMISSION**

4 (a) ~~A notary's commission or recommission shall not be effective until the oath of office has been administered.~~

5 (b) ~~A notary's~~ The term of a notary public's commission five year term of office ~~begins on~~ shall be calculated from
6 the date ~~on the commissioning certificate.~~ [an] that the commission application is [accepted] filed pursuant to 18
7 NCAC 07B .0312 [or the day immediately following the expiration date of a commission, whichever is later.] unless
8 Rule .0410 of this Subchapter applies.

9
10 *History Note: Authority G.S. 10B-4; ~~10B-14(f)~~;*

11 *Eff. April 1, 2007;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
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14 *Transferred from 18 NCAC 07B .0505 Eff. June 1, ~~2023~~; 2023;*

15 *Amended Eff. July 1, 2024.*

1 18 NCAC 07C .0410 is adopted with changes as published in 38:09 NCR 566 as follows:

2
3 **18 NCAC 07C .0410 TERM OF REAPPOINTMENT COMMISSION**

4 A recommissioning ~~notary's~~ notary public's five year term shall begin on the day following the expiration of the
5 existing commission if:

6 (1) the application for reappointment has been ~~accepted~~ filed before the expiration of the existing
7 commission; and

8 (2) the notary takes the oath of office for recommissioning within 45 days of the issuance date on the
9 certificate of appointment.

10
11 *History Note: Authority G.S. 10B-4;*

12 *Eff. July 1, 2024.*

1 18 NCAC 07C .0411 is adopted with changes as published in 38:09 NCR 567 as follows:

2
3 **18 NCAC 07C .0411 NOTARIAL ACTS PROHIBITED DURING GAPS BETWEEN COMMISSION**
4 **TERMS**

5 A notary public shall not perform a notarial act after the expiration of the notary's commission until the notary has
6 been reappointed and has taken the oath for a subsequent commission.

7
8 *History Note: Authority G.S. 10B-4;*
9 *Eff. July 1, 2024.*

1 18 NCAC 07C .0502 is amended with changes as published in 38:09 NCR 567 as follows:

2
3 **18 NCAC 07C .0502 LATE APPLICATION**

4 ~~An~~ A commission applicant for an initial appointment who ~~applies~~ submits an application more than three months
5 after ~~compliance with G.S. 10B-8(a)~~ successfully completing the notary course shall

6 (1) ~~Comply~~ comply again with ~~G.S. 10B-8(a)~~; the requirements for initial appointment in G.S. 10B-6
7 and the [Rules] rules in this Subchapter.

8 (2) ~~Submit an application for initial appointment; and~~

9 (3) ~~Pay the application fee.~~

10
11 *History Note: Authority G.S. ~~10B-4; 10B-8; 10B-14(f)~~;*

12 *Eff. April 1, 2007;*

13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
14 *6, 2016;*

15 *Transferred from 18 NCAC 07B .0302(b) Eff. June 1, ~~2023~~, 2023;*

16 *Amended Eff. July 1, 2024.*

1 18 NCAC 07C .0504 is amended with changes as published in 38:09 NCR 567 as follows:

2
3 **18 NCAC 07C .0504 APPLICATION AFTER ~~REAPPOINTMENT~~ RECOMMISSIONING DENIAL**
4 **BASED ON FAILING TEST EXAM**

5 An applicant for ~~reappointment~~ recommissioning whose application is denied due to failure to pass the ~~reappointment~~
6 recommissioning test exam within the time frame established in Rule .0605 of this Subchapter may reapply ~~by~~ by
7 complying again with the requirements for ~~reappointment~~ recommissioning in G.S. 10B-11 and the [Rules] rules in
8 this Subchapter.

9 ~~(1) Complying with G.S. 10B-8(a);~~

10 ~~(2) Submitting an application for reappointment; and~~

11 ~~(3) Paying the application fee.~~

12
13 *History Note: Authority G.S. ~~10B-2; 10B-4; 10B-5; 10B-6; 10B-8; 10B-13; 10B-14(f);~~*

14 *Eff. April 1, 2007;*

15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
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18 *Amended Eff. July 1, 2024.*

1 18 NCAC 07C .0505 is amended with changes as published in 38:09 NCR 567 as follows:

2
3 **18 NCAC 07C .0505 ~~FAILURE TO TAKE TIMELY OATH~~ APPLICATION FOR**
4 **RECOMMISSIONING WITHIN [TWELVE] 12 MONTHS OF COMMISSION**
5 **EXPIRATION OR PURSUANT TO G.S. 10B-53**

6 ~~(a) An appointee who fails to take the oath of office within 45 days of the commissioning certificate date may~~
7 ~~reapply for reappointment.~~

8 ~~(b) Reapplication within one year of commission date. If an appointee seeks reappointment more than 45 days and~~
9 ~~less than one year after the commissioning certificate date, the appointee shall:~~

10 ~~(1) Apply for reappointment;~~

11 ~~(2) Submit another application fee; and~~

12 ~~(3) Pass the reappointment test.~~

13 ~~(c) Reapplication one year or more after commissioning certificate date. If an appointee seeks reappointment one year~~
14 ~~or more after the commissioning certificate date, the appointee shall:~~

15 ~~(1) Comply with the requirements of G.S. 10B-8(a);~~

16 ~~(2) Apply for reappointment; and~~

17 ~~(3) Submit another application fee.~~

18 A notary **public** may seek recommissioning by complying with G.S. 10B-11 and the **[Rules]** **rules** in this Subchapter
19 **if:**

20 ~~(1) the notary's commission has [expired; expired and~~

21 ~~[(2)] less than [twelve] 12 months have elapsed since the expiration of the prior [commission;~~
22 ~~commission; or~~

23 ~~(2) the notary seeks recommissioning pursuant to G.S. 10B-53.~~

24
25 *History Note: Authority G.S. ~~10B-4; 10B-11; 10B-14(f);~~*

26 *Eff. April 1, 2007;*

27 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
28 *6, 2016;*

29 *Transferred from 18 NCAC 07B .0504 Eff. June 1, ~~2023~~. 2023;*

30 *Amended Eff. July 1, 2024.*

1 18 NCAC 07C .0506 is adopted with changes as published in 38:09 NCR 567 as follows:

2
3 **18 NCAC 07C .0506 RECOMMISSIONING EDUCATIONAL REQUIREMENT**

4 A notary public seeking recommissioning pursuant to Rule .0505 of this Section need not attend a notary ~~course~~.
5 course but shall pass the online recommissioning exam, unless the exception in G.S. 10B-11(b)(3) applies to the
6 notary.

7
8 *History Note: Authority G.S. 10B-4;*
9 *Eff. July 1, 2024.*

1 18 NCAC 07C .0508 is adopted as published in 38:09 NCR 567 as follows:

2
3 **18 NCAC 07C .0508 CANCELLATION OF COMMISSION**

4 If the Department has not received notice from the Register of Deeds that an appointee took the oath within 45 days
5 of the certificate of appointment issuance date, the Department shall:

6 (1) cancel the commission; and

7 (2) notify the appointee of the cancellation.

8
9 History Note: Authority G.S. 10B-4:

10 Eff. July 1, 2024.

1 18 NCAC 07C .0509 is adopted with changes as published in 38:09 NCR 567 as follows:

2
3 **18 NCAC 07C .0509 RESCIND CANCELLATION OF CERTIFICATE OF APPOINTMENT**

4 If a notary public presents the Department with the notary's valid commission certificate, the Department shall rescind
5 the cancellation of the notary's commission previously made pursuant to Rule .0508 of this Section.

6
7 *History Note: Authority G.S. 10B-4;*

8 *Eff. July 1, 2024.*

1 18 NCAC 07C .0510 is adopted as published in 38:09 NCR 567 as follows:

2
3 **18 NCAC 07C .0510 CONFIRMATION OF NOTARY STATUS**

4 The Department shall confirm a notary public's commission status upon written request.

5
6 History Note: Authority G.S. 10B-4;

7 Eff. July 1, 2024.

1 18 NCAC 07C .0601 is amended with changes as published in 38:09 NCR 568 as follows:

2
3 **SECTION .0600 – STEPS FOR ~~REAPPOINTMENT~~ RECOMMISSIONING**

4
5 **18 NCAC 07C .0601 APPLICATION STEPS FOR ~~REAPPOINTMENT~~ RECOMMISSIONING**

6 ~~Application for Reappointment.~~

7 ~~(1) An applicant for A notary public seeking reappointment recommissioning within the time permitted by G.S. 10B-~~
8 ~~11 and the [Rules] rules in this Subchapter shall submit an the reappointment recommissioning application for~~
9 ~~reappointment. specified in 18 NCAC 07B .0409.~~

10 ~~(2) — Applicants for reappointment may apply on line on the Department's website.~~

11
12 *History Note: Authority G.S. 10B-4; ~~10B-11~~; ~~10B-14(f)~~;*

13 *Eff. April 1, 2007;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
15 *6, 2016;*

16 *Transferred from 18 NCAC 07B .0401(a) Eff. June 1, ~~2023~~, 2023;*

17 *Amended Eff. July 1, 2024.*

1 18 NCAC 07C .0602 is amended as published in 38:09 NCR 568 as follows:

2
3 **18 NCAC 07C .0602 ~~TIMING OF APPLICATION FOR~~ METHOD OF TAKING REAPPOINTMENT**
4 **RECOMMISSIONING EXAM**

5 ~~Timing of Application for Reappointment. An applicant for The reappointment recommissioning exam shall apply for~~
6 ~~reappointment no earlier than 10 weeks before the expiration date of the applicant's commission. be taken on the~~
7 Department's website.

8
9 *History Note: Authority G.S. 10B-4; ~~10B-11~~; ~~10B-14(f)~~;*

10 *Eff. April 1, 2007;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
12 *6, 2016;*

13 *Transferred from 18 NCAC 07B .0401(b) Eff. June 1, ~~2023~~; 2023;*

14 *Amended Eff. July 1, 2024.*

18 NCAC 07C .0603 is amended with changes as published in 38:09 NCR 568 as follows:

18 NCAC 07C .0603 COURSE AS ALTERNATIVE TO REAPPOINTMENT RECOMMISSIONING
TEST EXAM

~~(a) Attorneys who are licensed members of the North Carolina State Bar do not have to take a reappointment test.~~

~~(b) The~~ An applicant for ~~reappointment~~ recommissioning test may ~~be taken either:~~ comply with the Rules in Section .0300 of this Subchapter as though the applicant were applying for an initial notary commission in lieu of taking or retaking the recommissioning exam.

(1) — By completing the on-line test on the Department's website;

(2) — By completing a paper test at the Department's offices at a time based upon:

(A) — The availability of the Division's staff; and

(B) — The availability of the applicant; or

(3) — By completing a paper test at a time and place mutually agreed upon by the applicant and a certified notary public instructor.

~~(c) An applicant for reappointment shall have 30 minutes to complete the test. An applicant needing accommodation pursuant to the Americans with Disabilities Act shall contact the Division and request the accommodation.~~

~~(d) If an applicant fails the reappointment test, the applicant may re-take the test no more than two times within 30 days of the date on which the test is first taken.~~

~~(e) If the applicant fails to pass the reappointment test within 30 days, the applicant shall not be reappointed and the application shall be denied.~~

History Note: Authority G.S. ~~10B-2; 10B-4; 10B-8; 10B-14(f); 168A-7; 42 USC 12132;~~

Eff. April 1, 2007;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;

Transferred from 18 NCAC 07B .0402 Eff. June 1, ~~2023;~~ 2023;

Amended Eff. July 1, 2024.

1 18 NCAC 07C .0604 is adopted with changes as published in 38:09 NCR 568 as follows:

2
3 **18 NCAC 07C .0604 EXAM LENGTH AND PASSING SCORE**

4 A notary public seeking recommissioning and taking the recommissioning exam shall:

- 5 (1) have 30 minutes to complete the recommissioning exam; and
6 (2) achieve a passing score of at least 80 percent on the exam.

7
8 *History Note: Authority G.S.10B-4;*
9 *Eff. July 1, 2024.*

1 18 NCAC 07C .0605 is adopted as published in 38:09 NCR 568 as follows:

2
3 **18 NCAC 07C .0605 RETAKING RECOMMISSIONING EXAM AFTER FAILURE**

4 If an applicant for recommissioning fails the recommissioning exam, the applicant may take the exam up to 2
5 additional times within 30 days of the date on which the exam is first taken.

6
7 History Note: Authority G.S. 10B-4;

8 Eff. July 1, 2024.

1 18 NCAC 07C .0606 is adopted with changes as published in 38:09 NCR 568 as follows:

2
3 **18 NCAC 07C .0606 FAILURE TO PASS EXAM WITHIN 30 DAYS**

4 If a notary public seeking recommissioning fails to pass the recommissioning or notary course exam within 30 days
5 of the date on which the exam was first taken, the application shall be denied.

6
7 *History Note: Authority G.S. 10B-4;*

8 *Eff. July 1, 2024.*

1 18 NCAC 07C .0607 is adopted with changes as published in 38:09 NCR 568 as follows:

2
3 **18 NCAC 07C .0607 INDIVIDUAL WHO FAILS TO SEEK RECOMMISSIONING WITHIN ONE**
4 **YEAR**

5 An individual who fails to seek recommissioning within one year of commission expiration may be commissioned as
6 a notary public only upon completion of all requirements for an initial notary commission.

7
8 *History Note: Authority G.S. 10B-4;*
9 *Eff. July 1, 2024.*

1 18 NCAC 07C .0701 is adopted with changes as published in 38:09 NCR 568-569 as follows:

2
3 **SECTION .0700 —~~RECORDS OF ELECTRONIC NOTARIAL ACTS—RESERVED~~ ATTORNEY**
4 **NOTARIES**
5

6 **18 NCAC 07C .0701 ATTORNEY APPLICATION FOR INITIAL APPOINTMENT**

7 Notary applicants for initial appointment who are licensed members of the North Carolina State Bar shall:

- 8 (1) maintain a personal copy of the most recent notary public manual approved by the Department; and
9 (2) either:
10 (a) submit a completed notarial commission application form described in 18 NCAC 07B
11 .0407 ~~without:~~ any of the following being required:
12 (i) attending the notary course;
13 (ii) passing the notary course exam; and
14 (iii) obtaining a signature from a notary instructor; or
15 (b) comply with the ~~Rules~~ rules in this Subchapter for an individual who is not a licensed
16 member of the State Bar.
17

18 *History Note: Authority G.S. 10B-4;*
19 *Eff. July 1, 2024.*

1 18 NCAC 07C .0702 is adopted with changes as published in 38:09 NCR 569 as follows:

2
3 **18 NCAC 07C .0702 RECOMMISSIONING OF ATTORNEY NOTARIES**

4 Licensed members of the North Carolina State Bar who are commissioned notaries public may apply for
5 recommissioning by complying with the Rules in this Subchapter, ~~provided~~ except that licensed members of the State
6 Bar ~~need not~~ shall not be required to take any course or exam prior to recommissioning.

7
8 *History Note: Authority G.S. 10B-4;*
9 *Eff. July 1, 2024.*

1 18 NCAC 07C .0703 is adopted with changes as published in 38:09 NCR 569 as follows:

2
3 **18 NCAC 07C .0703 ATTORNEYS WHO FAIL TO TAKE NOTARIAL OATH TIMELY**

4 A licensed member of the North Carolina State Bar who fails to take the oath of office within 45 days of the issuance
5 date on a certificate of appointment or reappointment shall submit a new application and fee in compliance with the
6 ~~Rules~~ rules in this Subchapter.

7
8 *History Note: Authority G.S. 10B-4;*

9 *Eff. July 1, 2024.*

1 18 NCAC 07C .0704 is adopted with changes as published in 38:09 NCR 569 as follows:

2
3 **18 NCAC 07C .0704 ATTORNEYS SEEKING REGISTRATION OR REREGISTRATION AS**
4 **ELECTRONIC NOTARIES**

5 A licensed member of the North Carolina State Bar who applies to be registered or reregistered as an electronic notary
6 public shall:

- 7 (1) comply with the ~~Rules~~ rules in Subchapter 07F of this Chapter;
- 8 (2) successfully complete the electronic notary course and exam;
- 9 (3) possess a current and personal copy of the North Carolina notary manual applicable to electronic
10 notaries; and
- 11 (4) submit an electronic notary application and fee.
- 12

13 *History Note: Authority G.S. 10B-4; 10B-126; 10B-134.21;*
14 *Eff. July 1, 2024.*