

G.S. 150B-21.3A Report for Chapter 07, NOTARY PUBLIC DIVISION

Agency - Office of the Secretary of State

Comment Period - 02/22/2016 through 04/25/2016

Date Submitted to APO - October 24, 2016

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps	
SUBCHAPTER 7B – NOTARY PUBLIC SECTION	SECTION .0100 – GENERAL PROVISIONS	18 NCAC 07B .0101	SCOPE	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
		18 NCAC 07B .0102	DEFINITIONS	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
		18 NCAC 07B .0103	LOCATION, HOURS AND CONTACT INFORMATION	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
		18 NCAC 07B .0104	FORMS	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
		18 NCAC 07B .0105	FEES	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
		18 NCAC 07B .0106	WAIVER	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
		18 NCAC 07B .0107	CONTINUING OBLIGATIONS OF NOTARIES	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
		SECTION .0200 - APPLICATIONS	18 NCAC 07B .0201	GENERAL	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		SECTION .0300 – INITIAL APPOINTMENT	18 NCAC 07B .0301	INITIAL COMMISSION	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
			18 NCAC 07B .0302	TIMING OF FILING OF INITIAL APPLICATION	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		SECTION .0400 – REAPPOINTMENT OF NOTARIES PUBLIC	18 NCAC 07B .0401	REAPPOINTMENT	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
			18 NCAC 07B .0402	REAPPOINTMENT TEST	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
			18 NCAC 07B .0403	APPLICATION AFTER REAPPOINTMENT DENIAL BASED ON FAILING TEST	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		SECTION .0500 - COMMISSIONS	18 NCAC 07B .0501	APPOINTMENT AND ISSUANCE OF COMMISSIONING CERTIFICATE	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
			18 NCAC 07B .0502	COMMISSIONING CERTIFICATE DATE	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0503	OATH OF OFFICE AND DELIVERY OF COMMISSIONING CERTIFICATE	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
		18 NCAC 07B .0504	REAPPOINTMENT IF OATH NOT TAKEN WITHIN 45 DAYS	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
		18 NCAC 07B .0505	TERM OF OFFICE	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	

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	SECTION .0700 – NOTARY PUBLIC CERTIFIED INSTRUCTOR	18 NCAC 07B .0701	INSTRUCTOR CERTIFICATION –SCOPE	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0702	INSTRUCTOR CERTIFICATION GENERAL	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0703	TIMING OF INSTRUCTOR CERTIFICATION APPLICATION	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0704	DEPARTMENT REJECTION OF APPLICATIONS	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0705	FEES	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0706	VERIFICATION THAT APPLICANT CONTINUES TO MEET REQUIREMENTS FOR A NOTARY COMMISSION	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0707	OTHER VERIFICATIONS	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0708	EVIDENCE OF MINIMUM EXPERIENCE	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0709	JOURNAL AS EVIDENCE OF EXPERIENCE	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0710	EMPLOYER AFFIDAVIT AS EVIDENCE OF EXPERIENCE	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0711	ALTERNATIVE EVIDENCE OF EXPERIENCE	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0712	RECOMMENDATIONS	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0713	ORAL PRESENTATION REQUIREMENT FOR APPLICANT	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0714	NOTARY PUBLIC INSTRUCTOR CERTIFICATION AND RECERTIFICATION EXAMINATIONS	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0715	ADDITIONAL REQUIREMENTS	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0716	MINIMUM INSTRUCTIONAL DUTIES OF CERTIFIED NOTARY PUBLIC INSTRUCTORS	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0717	EVALUATIONS OF INSTRUCTION	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0718	ELIGIBILITY FOR RECERTIFICATION AS NOTARY PUBLIC INSTRUCTOR	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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		18 NCAC 07B .0719	NOTARY PUBLIC INSTRUCTOR RECERTIFICATION REQUIREMENTS	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0720	DENIAL OF NOTARY PUBLIC INSTRUCTOR CERTIFICATION OR RECERTIFICATION	Eff. January 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0900 – ENFORCEMENT AND DISCIPLINARY ACTION	18 NCAC 07B .0901	FACTORS CONSIDERED IN DISCIPLINARY ACTIONS	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0902	GENERAL APPLICATION DENIAL	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0903	EXECUTED DOCUMENT VIOLATIONS	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0904	COMPLETE AND LAWFUL NOTARIAL ACT VIOLATIONS	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0905	OTHER VIOLATIONS	Amended Eff. May 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0906	MINIMUM SANCTION	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07B .0907	APPEAL PROCEDURES	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .1000 – PUBLIC RECORDS AND REQUESTS FOR INFORMATION	18 NCAC 07B .1001	PUBLIC INFORMATION	Eff. April 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SUBCHAPTER 07C – ELECTRONIC NOTARY STANDARDS	SECTION .0100 – GENERAL PROVISIONS	18 NCAC 07C .0101	SCOPE	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07C .0102	DEFINITIONS	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0200 – REGISTRATION	18 NCAC 07C .0201	APPLICATION	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07C .0202	OATH OF OFFICE AND DELIVERY OF COMMISSION	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07C .0203	RE-REGISTRATION	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0300 – COURSE OF INSTRUCTION	18 NCAC 07C .0301	APPROVED COURSE OF STUDY FOR ELECTRONIC NOTARIES PUBLIC	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0400 – ELECTRONIC NOTARY STANDARDS	18 NCAC 07C .0401	ELECTRONIC NOTARY SIGNATURE	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07C .0402	ELECTRONIC NOTARY SEAL	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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		18 NCAC 07C .0403	PHYSICAL PRESENCE REQUIREMENT FOR ELECTRONIC NOTARIZATION	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0500 –ELECTRONIC NOTARY SOLUTION PROVIDERS	18 NCAC 07C .0501	ELECTRONIC NOTARY SOLUTION PROVIDER APPLICATION	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07C .0502	CRITERIA FOR APPROVAL OF ELECTRONIC NOTARY SOLUTION PROVIDERS	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07C .0503	ELECTRONIC NOTARY SOLUTION PROVIDER CHANGES	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0600 – SECURITY REQUIREMENTS	18 NCAC 07C .0601	SEPARATE ATTESTATIONS	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07C .0602	ELECTRONIC NOTARY SEALS	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07C .0603	EMPLOYERS OF ELECTRONIC NOTARIES	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		18 NCAC 07C .0604	PROTECTED ACCESS	Eff. January 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note