1. Rule-Making Agency:	
2. Rule citation & name (name not required for repeal):	
3. Action:	
ADOPTION AMENDMENT REPEAL	READOPTION"""TGRGCN'VJ TQWI J TGCFQRVKQP
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
No	No
6. Notice for Proposed Rule:	
☐ Notice Required	
Notice of Text published on:	
Link to Agency notice: Hearing on:	
Adoption by Agency on:	
Notice not required under G.S.:	
Adoption by Agency on:	9 Einealium antoEhaala II dhan ann L.0
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact0Eheck all that apply0
☐ Yes	Vj ku'Twng'y cu'r ct v'qh'b' eqo dlepgf 'bpcn(uku)
Agency submitted request for consultation on:	Uvc vg'hwpf u'chtgevgf
Consultation not required. Cite authority:	Local funds affected
□ No	Substantial economic impact (≥\$1,000,000)
	Approved by OSBM No fiscal note required
0. DEAG	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION
Agency	Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
Federal statute / cite:	Petition for rule-making
Federal regulation / cite: 9B. Explain:	Other:
, 22, 23pmm,	
40.00	44.61
10. Rulemaking Coordinator:	11. Signature of Agency Head* or Rule-making Coordinator:
Rj qpg<	Danya M. Strong Esq
G/O clark	
Cf f kkqpcdči gpe{ 'eqpvcev.'ltdcp{ <	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone:	Typed Name:
E-Mail:	Title:
	O OAH USE ONLY
Action taken:	
RRC extended period of review:	
RRC determined substantial changes: Withdrawn by agency	
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: N.C. Medical Care Commission	
2. Rule citation & name (name not required for repeal): 10 EXAMINATION AND IMMUNIZATIONS	DA NCAC 13F .0703/TUBERCULOSIS TEST, MEDICAL
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ▷	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
No No	No No
6. Notice for Proposed Rule:	
Notice Required	
Notice of Text published on: 06/15/23	locations html
Link to Agency notice: https://info.ncdhhs.gov/dhsr/ru Hearing on: 08/07/23	leactions.ntmi
Adoption by Agency on: 11/03/23	
Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	State funds affected Local funds affected
	Substantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	No fiscal note required
9 REASO	ON FOR ACTION
9A. What prompted this action? Check all that apply:	ON TOR ACTION
	☐ Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	$\overline{\boxtimes}$ Other: G.S. 150B-21.3A.(c)(2)(g)
	nd Expiration of Existing Rules, all rules are reviewed at least every
	of Subchapter 10A NCAC 13F, Licensing of Adult Care Homes of
	With Substantive Public Interest," requiring readoption. With input
	n made to this Rule to update the admission requirements that include
	amination form and required elements of the form, hospital discharge atric follow up care needs, and readmission following hospitalization.
A definition for "physician extender" was added to the Rule. I	
10. Rulemaking Coordinator: Taylor Corpening	11. Signature of Agency Head* or Rule-making Coordinator:
,,	Jaylor Copening
Phone: 919-855-4619	
E-Mail: taylor.corpening@dhhs.nc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any: Shalisa Jones	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: 704-589-6214	Typed Name: Taylor Corpening
E-Mail: shalisa.jones@dhhs.nc.gov	Title: Rule-making Coordinator
RRC AND OAH USE ONLY	
Action taken:	
RRC extended period of review:	
RRC determined substantial changes: Withdrawn by agency	
Subject to Legislative Review	
Other:	
<u> </u>	

1. Rule-Making Agency: N.C. Medical Care Commission		
2. Rule citation & name (name not required for repeal): 10 FACILITY, AND RESIDENT REGISTER	DA NCAC 13F .0704/RESIDENT CONTRACT, INFORMATION ON	
3. Action:		
□ ADOPTION □ AMENDMENT □ REPEAL ▷		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	N₀	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 06/15/23 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 08/07/23 Adoption by Agency on: 11/03/23 ☐ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	State funds affected	
	Local funds affected Substantial economic impact (≥\$1,000,000)	
⊠ No	Approved by OSBM	
	No fiscal note required	
9 REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	ON TOR ACTION	
	☐ Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law:	
Federal statute / cite:	☐ Petition for rule-making	
☐ Federal regulation / cite:	\bigcirc Other: G.S. 150B-21.3A.(c)(2)(g)	
	and Expiration of Existing Rules, all rules are reviewed at least every	
	y of Subchapter 10A NCAC 13F, Licensing of Adult Care Homes of	
	With Substantive Public Interest," requiring readoption. With input n made to this Rule to include the resident for review of the Resident	
	resident contract information, clarify the process for issuing a 30-day	
_	nodations, and to reference the statute for house rules compliance. In	
addition, a repealed statutory reference and unneeded text was		
10. Rulemaking Coordinator: Taylor Corpening	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-855-4619	Jaylor Copening	
E-Mail: taylor.corpening@dhhs.nc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any: Shalisa Jones	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: 704-589-6214	Typed Name: Taylor Corpening	
E-Mail: shalisa.jones@dhhs.nc.gov	Title: Rule-making Coordinator	
a a an g a ang a a na a		
RRC AND OAH USE ONLY		
Action taken:		
DDC autonded newled of neviews		
RRC extended period of review:		
RRC determined substantial changes: Withdrawn by agency		
Subject to Legislative Review		
Other:		

1. Rule-Making Agency: N.C. Medical Care Commission		
2. Rule citation & name (name not required for repeal): 10	A NCAC 13F .1103/AUTHORIZED REPRESENTATIVE	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	\bowtie No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 06/15/23 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 08/07/23 Adoption by Agency on: 11/03/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
☐ Yes Agency submitted request for consultation on:	_ '	
Consultation not required. Cite authority:	State funds affected	
1	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000) Approved by OSBM	
	No fiscal note required	
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: Agency		
change this terminology in the rule. In addition, unnecessary text was removed and technical changes were made to the text of the rule.		
10. Rulemaking Coordinator: Taylor Corpening	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-855-4619	Jaylor Copining	
E-Mail: taylor.corpening@dhhs.nc.gov	*If this function has been delegated (reassigned) pursuant to	
	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any: Shalisa Jones Phone: 704-589-6214	Typed Names Taylor Cornering	
E-Mail: shalisa.jones@dhhs.nc.gov	Typed Name: Taylor Corpening Title: Rule-making Coordinator	
E-man, snansa,juncs@unns.nc.guv	Title. Kuit-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: N.C. Medical Care Commission		
2. Rule citation & name (name not required for repeal): 10 PERSONAL FUNDS	A NCAC 13F .1104/ACCOUNTING FOR RESIDENT'S	
3. Action: ☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 06/15/23 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 08/07/23 Adoption by Agency on: 11/03/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
□ v	☐ This Rule was part of a combined analysis.	
☐ Yes Agency submitted request for consultation on:		
Consultation not required. Cite authority:	State funds affected	
	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000) Approved by OSBM	
	 ☒ Approved by OSBM ☒ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Legislation enacted by the General Assembly Court order / cite: Cite Session Law: Federal statute / cite: Petition for rule-making Federal regulation / cite: Other: 9B. Explain: The N.C. Medical Care Commission is amending this rule to revise the process for the verification of a resident's personal funds transaction and needs allowance statements, and to clarify the business process for these actions.		
10. Rulemaking Coordinator: Taylor Corpening	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-855-4619	Jaylor Copining	
E-Mail: taylor.corpening@dhhs.nc.gov	*If this function has been delegated (reassigned) pursuant to	
	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any: Shalisa Jones	T IN T I C	
Phone: 704-589-6214 E-Mail: shalisa.jones@dhhs.nc.gov	Typed Name: Taylor Corpening Title: Rule-making Coordinator	
E-Man: snansa.jones@dnns.nc.gov	Title: Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:	Only obligation	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: N.C. Medical Care Commission		
2. Rule citation & name (name not required for repeal): 10	A NCAC 13F .1106/SETTLEMENT OF COST OF CARE	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ▷		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	N₀	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 06/15/23 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 08/07/23 Adoption by Agency on: 11/03/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
□ Vos	☐ This Rule was part of a combined analysis.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Taylor Corpening	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-855-4619	Jaylor Copining	
E-Mail: taylor.corpening@dhhs.nc.gov	*If this function has been delegated (reassigned) pursuant to	
	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any: Shalisa Jones	.,	
Phone: 704-589-6214	Typed Name: Taylor Corpening	
E-Mail: shalisa.jones@dhhs.nc.gov	Title: Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:	VAII USE UNL I	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: N.C. Medical Care Commission		
2. Rule citation & name (name not required for repeal): 10 EXAMINATION, AND IMMUNIZATIONS	DA NCAC 13G .0702/TUBERCULOSIS TEST AND MEDICAL	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ▷	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 06/15/23 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 08/07/23 Adoption by Agency on: 11/03/23 ☐ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
☐ Yes	In state was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority:	☐ State funds affected	
Consultation not required. The authority.	Local funds affected	
⊠ N ₀	Substantial economic impact (\ge \\$1,000,000)	
	Approved by OSBM	
	⊠ No fiscal note required	
	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency	Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law:	
☐ Federal statute / cite:☐ Federal regulation / cite:	☐ Petition for rule-making ☐ Other: G.S. 150B-21.3A.(c)(2)(g)	
	and Expiration of Existing Rules, all rules are reviewed at least every	
	of Subchapter 10A NCAC 13G, Licensing of Family Care Homes,	
	ic Interest," requiring readoption. With input from a stakeholder	
	to update the admission requirements that include the resident's	
· ·	n and required elements of the form, hospital discharge instructions and	
	are needs, and readmission following hospitalization. A definition for	
"physican extender" was added to the Rule. In addition, techn	•	
10. Rulemaking Coordinator: Taylor Corpening	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-855-4619	Jaylor Copining	
E-Mail: taylor.corpening@dhhs.nc.gov	*If this function has been delegated (reassigned) pursuant to	
	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any: Shalisa Jones		
Phone: 704-589-6214	Typed Name: Taylor Corpening	
E-Mail: shalisa.jones@dhhs.nc.gov	Title: Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:	VOAH USE UNL I	
RRC extended period of review:		
RRC determined substantial changes:		
Withdrawn by agency Subject to Legislative Review		
Subject to Legislative Review Other:		
U Outel.		

1. Rule-Making Agency: N.C. Medical Care Commission		
2. Rule citation & name (name not required for repeal): 10	A NCAC 13G .0703	
3. Action: □ ADOPTION □ AMENDMENT □ REPEAL □ READOPTION ☒ REPEAL through READOPTION		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 06/15/23 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 08/07/23 Adoption by Agency on: 11/03/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Taylor Corpening	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-855-4619	Jaylor Copining	
E-Mail: taylor.corpening@dhhs.nc.gov	*If this function has been delegated (reassigned) pursuant to	
2 tajivi.corpening@anns.ne.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any: Shalisa Jones	iv garage	
Phone: 704-589-6214	Typed Name: Taylor Corpening	
E-Mail: shalisa.jones@dhhs.nc.gov	Title: Rule-making Coordinator	
	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: N.C. Medical Care Commission		
2. Rule citation & name (name not required for repeal): 10 FACILITY, AND RESIDENT REGISTER	DA NCAC 13G .0704/RESIDENT CONTRACT, INFORMATION ON	
3. Action:	_	
□ ADOPTION □ AMENDMENT □ REPEAL ▷		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	N₀	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 06/15/23 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 08/07/23 Adoption by Agency on: 11/03/23 ☐ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	State funds affected	
	Local funds affected Substantial economic impact (≥\$1,000,000)	
⊠ No	Approved by OSBM	
	No fiscal note required	
9 REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply:	ON TOR ACTION	
	☐ Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law:	
Federal statute / cite:	☐ Petition for rule-making	
☐ Federal regulation / cite:	Other: G.S. 150B-21.3A.(c)(2)(g)	
	nd Expiration of Existing Rules, all rules are reviewed at least every	
	of Subchapter 10A NCAC 13G, Licensing of Family Care Homes,	
	ic Interest," requiring readoption. With input from a stakeholder	
	to include the resident for review of the Resident Contract and the information, clarify the process for issuing a 30-day notice of a change	
	eference the statute for house rules compliance. In addition, a repealed	
statutory reference and unneeded text was removed, and clarif		
10. Rulemaking Coordinator: Taylor Corpening	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-855-4619	Jaylor Copining	
E-Mail: taylor.corpening@dhhs.nc.gov	*If this function has been delegated (reassigned) pursuant to	
	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any: Shalisa Jones		
Phone: 704-589-6214	Typed Name: Taylor Corpening	
E-Mail: shalisa.jones@dhhs.nc.gov	Title: Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:	OAH USE ONLI	
RRC extended period of review:		
RRC determined substantial changes:		
☐ Withdrawn by agency ☐ Subject to Legislative Review		
Other:		
<u> </u>		

1. Rule-Making Agency: N.C. Medical Care Commission		
2. Rule citation & name (name not required for repeal): 10	A NCAC 13G .1102/AUTHORIZED REPRESENTATIVE	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 06/15/23 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 08/07/23 Adoption by Agency on: 11/03/23 □ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
□ V ₂ ,	☐ This Rule was part of a combined analysis.	
 ✓ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ✓ No 	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9 REASC	ON FOR ACTION	
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: Other: G.S. 150B-21.3A.(c)(2)(g) 9B. Explain: Pursuant to GS 150B-21.3A, Periodic Review and Expiration of Existing Rules, all rules are reviewed at least every 10 years or they shall expire. As a result of the periodic review of Subchapter 10A NCAC 13G, Licensing of Family Care Homes, this rule was determined as "Necessary With Substantive Public Interest," requiring readoption. With input from a stakeholder workgroup, substantive revisions have been made to this Rule to add a definition for an "authorized representative" and change this terminology in the rule. In addition, unnecessary text was removed and technical changes were made to the text of the rule.		
10. Rulemaking Coordinator: Taylor Corpening	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-855-4619	Jaylor Copining	
E-Mail: taylor.corpening@dhhs.nc.gov	*If this function has been delegated (reassigned) pursuant to	
wij.vv.vov.pog@umome.go	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any: Shalisa Jones	.,	
Phone: 704-589-6214	Typed Name: Taylor Corpening	
E-Mail: shalisa.jones@dhhs.nc.gov	Title: Rule-making Coordinator	
	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: N.C. Medical Care Commission		
2. Rule citation & name (name not required for repeal): 10 PERSONAL FUNDS	A NCAC 13G .1103/ACCOUNTING FOR RESIDENT'S	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 06/15/23 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 08/07/23 Adoption by Agency on: 11/03/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
☐ Yes Agency submitted request for consultation on:		
Consultation not required. Cite authority:	State funds affected	
Constitution not required care authority.	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000) Approved by OSBM	
	No fiscal note required	
A DELCA	2	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
	I said the same to detect the Comment Assembly	
✓ Agency☐ Court order / cite:	Legislation enacted by the General Assembly Cite Session Law:	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	☐ Other: G.S. 150B-21.3A.(c)(2)(g)	
	nd Expiration of Existing Rules, all rules are reviewed at least every	
	of Subchapter 10A NCAC 13G, Licensing of Family Care Homes,	
	ic Interest," requiring readoption. With input from a stakeholder	
	to revise the process for the verification of a resident's personal funds	
transaction and needs allowance statements, and to clarify the	business process for these actions.	
10. Rulemaking Coordinator: Taylor Corpening	11. Signature of Agency Head* or Rule-making Coordinator:	
2.000	Jaylor Copining	
Phone: 919-855-4619		
E-Mail: taylor.corpening@dhhs.nc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any: Shalisa Jones	G.S. 143D-10(a), submit a copy of the delegation with this form.	
Phone: 704-589-6214	Typed Name: Taylor Corpening	
E-Mail: shalisa.jones@dhhs.nc.gov	Title: Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
RRC extended period of review:		
RRC determined substantial changes:		
Withdrawn by agency		
Subject to Legislative Review		
Other:		

1. Rule-Making Agency: N.C. Medical Care Commission		
2. Rule citation & name (name not required for repeal): 10	A NCAC 13G .1106/SETTLEMENT OF COST OF CARE	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 06/15/23 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 08/07/23 Adoption by Agency on: 11/03/23 □ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	State funds affected	
ı v	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000) Approved by OSBM	
	No fiscal note required	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
	☐ Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law:	
Federal statute / cite:	Petition for rule-making	
☐ Federal regulation / cite:	\square Other: G.S. 150B-21.3A.(c)(2)(g)	
	nd Expiration of Existing Rules, all rules are reviewed at least every of Subchapter 10A NCAC 13G, Licensing of Family Care Homes,	
	ic Interest," requiring readoption. With input from a stakeholder	
	g definition for "cost of care" was added to the Rule. In addition, a	
rule reference was updated, clarifying and technical text chang		
10. Rulemaking Coordinator: Taylor Corpening	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-855-4619	Jaylor Copening	
E-Mail: taylor.corpening@dhhs.nc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency south of 16 area CD 11. I	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any: Shalisa Jones Phone: 704-589-6214	Typed Name: Taylor Corpening	
E-Mail: shalisa.jones@dhhs.nc.gov	Title: Rule-making Coordinator	
12 Man. Shansa.jones@dinis.neigov	Title. Nate making Cool amator	
RRC AND OAH USE ONLY		
Action taken:		
RRC extended period of review:		
RRC determined substantial changes: Withdrawn by agency		
Subject to Legislative Review		
Other:		

1. Rule-Making Agency: N.C. Department of Health & Human Services/Director, DHSR		
2. Rule citation & name (name not required for repeal): 10A NCAC 14C .1401/DEFINITIONS		
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 07/17/23 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 08/15/23 Adoption by Agency on: 11/02/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
□ Vos	☐ This Rule was part of a combined analysis.	
 ✓ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ✓ No 	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Taylor Corpening	11. Signature of Agency Head* or Rule-making Coordinator:	
Dhana 010 955 4/10	Jaylor Copining	
Phone: 919-855-4619 E-Mail: taylor.corpening@dhhs.nc.gov	*If this function has been delegated (reassigned) pursuant to	
E-Man. taylor.corpennig@uniis.nc.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any: Micheala Mitchell	2 2.32 25(n), sasant a copy of the actognition with this form.	
Phone: 919-855-3879	Typed Name: Taylor Corpening	
E-Mail: micheala.mitchell@dhhs.nc.gov	Title: Rule-making Coordinator	
	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: N.C. Department of Health & Human Services/Director, DHSR		
2. Rule citation & name (name not required for repeal): 10A NCAC 14C .1403/PERFORMANCE STANDARDS		
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☒		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	Yes. Cite authority:	
⊠ No	\boxtimes No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 07/17/23 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 08/15/23 Adoption by Agency on: 11/02/23 □ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
□ v	☐ This Rule was part of a combined analysis.	
 ✓ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ✓ No 	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM 	
	No fiscal note required	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency Court order / cite: Cite Session Law: Federal statute / cite: Petition for rule-making Federal regulation / cite: Other: G.S. 150B-21.3A.(c)(2)(g) & SMFP 9B. Explain: Pursuant to GS 150B-21.3A, Periodic Review and Expiration of Existing Rules, all rules are reviewed at least every 10 years or they shall expire. As a result of the periodic review of Subchapter 10A NCAC 14C, Certificate of Need Regulations, this rule was determined as "Necessary With Substantive Public Interest," requiring readoption. Substantive changes have been made to this rule to revise and clarify Certificate of Need applicant performance standards criteria to develop a new neonatal intensive care service with or without increasing the total number of acute care beds on the hospital license. In addition, this rule was one of the temporary rules that became effective January 27, 2023 to implement the State Medical Facilities Plan (SMFP) that was signed by the governor on December 16, 2022. 10. Rulemaking Coordinator: Taylor Corpening Legislation enacted by the General Assembly Cite Session Law: Petition for rule-making Other: G.S. 150B-21.3A.(c)(2)(g) & SMFP 9B. Explain: Pursuant to GS 150B-21.3A.(c)(2)(g) & SMFP 9B. Explain: Petition for rule-making NEAD SMFP 10. Nead SMFP 11. Signature of Agency Head* or Rule-making Coordinator:		
Phone: 919-855-4619		
E-Mail: taylor.corpening@dhhs.nc.gov Additional agency contact, if any: Micheala Mitchell Phone: 919-855-3879 E-Mail: micheala.mitchell@dhhs.nc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Taylor Corpening Title: Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: N.C. Department Health & Human Services/Director, DHSR		
2. Rule citation & name (name not required for repeal): 10	OA NCAC 14C .2703/PERFORMANCE STANDARDS	
3. Action: ☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 07/17/23 Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html Hearing on: 08/15/23 Adoption by Agency on: 11/02/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
□ Vos	☐ This Rule was part of a combined analysis.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
⊠ Agency	☐ Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law:	
Federal statute / cite:	☐ Petition for rule-making	
☐ Federal regulation / cite:	Other: State Medical Facilities Plan	
9B. Explain: Several subject matters are addressed in the annual State Medical Facilities Plan (SMFP). The magnetic resonance imaging (MRI) scanner need methodology was changed in the 2023 SMFP that was signed by the governor on December 16, 2023 and became effective January 1, 2023. This rule was one of the temporary rules that became effective January 27, 2023 to implement the SMFP. Permanent amendments are now proposed to existing Certificate of Need (CON) rules to complement or be made consistent with the 2023 SMFP. The specific subject area being addressed by this proposed rule change are the criteria and standards for MRI scanner CON applicant proposals. The performance standards have been revised to reference the MRI scanner need methodology in the SMFP for applicants proposing to acquire a fixed or mobile MRI scanner in a service area.		
10. Rulemaking Coordinator: Taylor Corpening	11. Signature of Agency Head* or Rule-making Coordinator:	
	· .	
Phone: 919-855-4619	Jaylor Copening	
E-Mail: taylor.corpening@dhhs.nc.gov	*If this function has been delegated (reassigned) pursuant to	
	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any: Micheala Mitchell		
Phone: 919-855-3879	Typed Name: Taylor Corpening	
E-Mail: micheala.mitchell@dhhs.nc.gov	Title: Rule-making Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

Filed:11/17/23

 Rule-Making Agency: Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services Rule citation & name (name not required for repeal): 10A NCAC 27G .0104, Staff Definitions 	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: July 3, 2023	ns/mental-health-developmental-disabilities-and-substance-use- ental-disabilities-and-substance-use-services/proposed-rules
7. Rule establishes or increases a fee? (See G.S. 12-3.1) Yes Agency submitted request for consultation on:	8. Fiscal impact. Check all that apply. This Rule was part of a combined analysis.
Consultation not required. Cite authority:	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: These rules are being amended to permit years being credentialed a Qualified Professional; update language	Legislation enacted by the General Assembly Cite Session Law: S.L. 2017-32 Petition for rule-making Other: of experience obtained pre- or post – degree to be considered in one consistent with the Addictions Specialist Professional Practice Board; fessional; and clarify the applicability of the registration requirement
10. Rulemaking Coordinator: Denise Baker Phone: 984-236-5272 E-Mail: denise.baker@dhhs.nc.gov Additional agency contact, if any: Phone: E-Mail:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Title:
RRC AND OAH USE ONLY	

Filed:11/17/23

	, Developmental Disabilities, and Substance Abuse Services
2. Rule citation & name (name not required for repeal):	10A NCAC 28A .0102, Definitions
3. Action:	
☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
	ons/mental-health-developmental-disabilities-and-substance-use- nental-disabilities-and-substance-use-services/proposed-rules
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
Yes	— can sale was been as a same and sale
Agency submitted request for consultation on: Consultation not required. Cite authority:	State funds affected
Consultation not required. Cite authority.	Local funds affected
⊠ No	Substantial economic impact (≥\$1,000,000)
	 ✓ Approved by OSBM ☐ No fiscal note required
being credentialed a Qualified Professional; update language	Cite Session Law: S.L. 2017-32 Petition for rule-making Other: rs of experience obtained pre- or post – degree to be considered in one e consistent with the Addictions Specialist Professional Practice Board; ofessional; and clarify the applicability of the registration requirement
10. Rulemaking Coordinator: Denise Baker	11. Signature of Agency Head* or Rule-making Coordinator:
Phone: 984-236-5272	11 /
E-Mail: denise.baker@dhhs.nc.gov	Mar Take
E-Mail: democoateregamis.ne.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone:	
E-Mail:	Typed Name:
	Title:
RRC AN	ND OAH USE ONLY
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

1. Rule-Making Agency: North Carolina Criminal Education a	and Training Standards Commission	
2. Rule citation & name (name not required for repeal): 12 NCAC 09A .0205 Period of Suspension: Revocation: or Denial		
3. Action: ADOPTION AMENDMENT REPEAL READOPTION REPEAL THROUGH READOPTION		
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 1, 2023 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/criminal-justice-forms-and-publications/ Hearing on: November 15, 2023 Adoption by Agency on: November 17, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM ⋈ No fiscal note required 	
9. REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: To clarify rule language regarding the results of a drug screening.	 □ Legislation enacted by the General Assembly Cite Session Law: □ Petition for rule-making □ Other: 	
10. Rulemaking Coordinator: Michelle Schilling	11. Signature of Agency Head* or Rule-making Coordinator:	
Michelle Schilling Phone: (919) 779-8205 E-Mail: MSchilling@ncdoj.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone:	Typed Name: Michelle Schilling	
E-Mail:	Title: Deputy Director	
Action taken: RRC AND OAH USE ONLY		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: North Carolina Criminal Education and Training Standards Commission	
2. Rule citation & name (name not required for repeal): 12 NCAC 09A .0206 Summary Suspensions	
3. Action: ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
■ Notice Required	
Notice of Text published on: September 1, 2023	
Link to Agency notice: https://ncdoj.gov/law-enforcement-trail	ining/criminal-justice-forms-and-publications/
Hearing on: November 15, 2023	
Adoption by Agency on: November 17, 2023	
Notice not required under G.S.:	
Adoption by Agency on:	O First Charles Hale Association
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	☐ State funds affected
Consultation not required. Cite authority:	Local funds affected
⊠ No	Substantial economic impact (≥\$1,000,000)
	Approved by OSBM
	■ No fiscal note required
9. REASO 9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: To clarify rule language regarding specific rule citation.	DN FOR ACTION Legislation enacted by the General Assembly Cite Session Law: Petition for rule-making Other:
10. Rulemaking Coordinator: Michelle Schilling	11. Signature of Agency Head* or Rule-making Coordinator:
Michelle Schilling	11. Signature of Agency fread of Mule-making Coordinator.
Phone: (919) 779-8205	
E-Mail:	10/20 Wells
MSchilling@ncdoj.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone:	Typed Name: Michelle Schilling
E-Mail:	Title: Deputy Director
RRC AND OAH USE ONLY	
Action taken:	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

1. Rule-Making Agency: North Carolina Criminal Education a	nd Training Standards Commission	
2. Rule citation & name (name not required for repeal): 12 NCAC 09B .0103 Fingerprint Criminal History Record Check		
3. Action: ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority: ☑ No	☐ Yes. Cite authority: ☑ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 1, 2023 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/criminal-justice-forms-and-publications/ Hearing on: November 15, 2023 Adoption by Agency on: November 17, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: To establish electronic submission requirements for fingerprints for law	☐ Legislation enacted by the General Assembly Cite Session Law: ☐ Petition for rule-making ☐ Other: enforcement officers.	
10. Rulemaking Coordinator: Michelle Schilling	11. Signature of Agency Head* or Rule-making Coordinator:	
Michelle Schilling Phone: (919) 779-8205	VVV	
E-Mail:	1 Sewelly	
MSchilling@ncdoj.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone:	Typed Name: Michelle Schilling	
E-Mail:	Title: Deputy Director	
RRC AND OAH USE ONLY		
Action taken:		
RRC extended period of review:		
RRC determined substantial changes:		
☐ Withdrawn by agency ☐ Subject to Legislative Review		
Other:		

1. Rule-Making Agency: North Carolina Criminal Education and Training Standards Commission	
2. Rule citation & name (name not required for repeal): 12 NCAC 09B .0235 Basic Training - Juvenile Court Counselo	rs and Chief Court Counselors
3. Action: ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required	
Notice of Text published on: September 1, 2023	sisted forming the state of some and authorities of
Link to Agency notice: https://ncdoj.gov/law-enforcement-tra Hearing on: November 15, 2023	uning/criminal-justice-forms-and-publications/
Adoption by Agency on: November 17, 2023	
Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	☐ State funds affected
	☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	■ No fiscal note required
A DEAC	<u> </u>
9. REAS 9A. What prompted this action? Check all that apply:	ON FOR ACTION
Agency	☐ Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain:	
To update curriculum lesson titles and hours of instruction.	
10. Rulemaking Coordinator: Michelle Schilling	11. Signature of Agency Head* or Rule-making Coordinator:
Michelle Schilling	11 176 000 0
Phone: (919) 779-8205 E-Mail:	MIDWIN
MSchilling@ncdoj.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone:	Typed Name: Michelle Schilling
E-Mail:	Title: Deputy Director D OAH USE ONLY
Action taken:	JOAN OSE ONE!
The state of the s	
_	
RRC extended period of review:	
RRC determined substantial changes:	
☐ Withdrawn by agency ☐ Subject to Legislative Review	
Other:	

1. Rule-Making Agency: North Carolina Criminal Education and Training Standards Commission		
2. Rule citation & name (name not required for repeal):12 NCAC 09B .0236 Basic Training - Juvenile Justice Officers		
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority: ☑ No	☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 1, 2023 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/criminal-justice-forms-and-publications/ Hearing on: November 15, 2023 Adoption by Agency on: November 17, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	□ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM ☑ No fiscal note required	
9. REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: To update curriculum lesson titles and hours of instruction.	☐ Legislation enacted by the General Assembly Cite Session Law: ☐ Petition for rule-making ☐ Other:	
10. Rulemaking Coordinator: Michelle Schilling	11. Signature of Agency Head* or Rule-making Coordinator:	
Michelle Schilling Phone: (919) 779-8205 E-Mail: MSchilling@ncdoj.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone:	Typed Name: Michelle Schilling	
E-Mail:	Title: Deputy Director	
Action taken:	O OAH USE ONLY	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: North Carolina Criminal Education and Training Standards Commission		
2. Rule citation & name (name not required for repeal): 12 NCAC 09B .0301 Certification of Instructors		
3. Action: ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority: ☑ No	☐ Yes. Cite authority: ☑ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 1, 2023 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/criminal-justice-forms-and-publications/ Hearing on: November 15, 2023 Adoption by Agency on: November 17, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
│	☐ This Rule was part of a combined analysis.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	□ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM ☑ No fiscal note required	
9. REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: To update application submission requirements.	☐ Legislation enacted by the General Assembly Cite Session Law: ☐ Petition for rule-making ☐ Other:	
10. Rulemaking Coordinator: Michelle Schilling Michelle Schilling	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: (919) 779-8205		
E-Mail:	The second	
MSchilling@ncdoj.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any.		
Phone:	Typed Name: Michelle Schilling	
E-Mail:	Title: Deputy Director D OAH USE ONLY	
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: North Carolina Criminal Education and Training Standards Commission	
2. Rule citation & name (name not required for repeal):12 NCAC 09C .0306 Lateral Transfer of Law Enforcement Office	cers
3. Action: ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ N ₀
6. Notice for Proposed Rule:	
■ Notice Required	
Notice of Text published on: September 1, 2023	
Link to Agency notice: https://ncdoj.gov/law-enforcement-tra	iningcriminal-justice-forms-and-publications/
Hearing on: November 15, 2023	
Adoption by Agency on: November 17, 2023 Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on: Consultation not required. Cite authority:	☐ State funds affected
Consultation not required. Cite authority:	Local funds affected
⊠ No	☐ Substantial economic impact (≥\$1,000,000)
	Approved by OSBM
	■ No fiscal note required
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION
	I saidation amounted by the Comment Assembly
	☐ Legislation enacted by the General Assembly Cite Session Law:
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain:	
To update application requirements for officers transferring from other l	aw enforcement agencies.
10. Rulemaking Coordinator: Michelle Schilling	11 Signature of Agency Head* or Rule-making Coordinator:
Michelle Schilling	
Phone: 919-779-8205	NUSOWILL.
E-Mail:	
MSchilling@ncdoj.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Additional agency contact, if any:	
Phone:	Typed Name: Michelle Schilling
E-Mail:	Title: Deputy Director
	O OAH USE ONLY
Action taken:	
RRC extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	
│ □ Other:	

1. Rule-Making Agency: North Carolina Criminal Education a	and Training Standards Commission
2. Rule citation & name (name not required for repeal):12 NCAC 09E .0103 Department Head Responsibilities: Annu	al In-Service Training
3. Action:	C PRINCE CONTROL CHECK THE OLICH READORTION
ADOPTION X AMENDMENT REPEAL 4. Rule exempt from RRC review?	READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review?
Yes. Cite authority:	S. Rule automatically subject to legislative review:
No	⊠ No
6. Notice for Proposed Rule:	E3 170
<u> </u>	
Notice Required	
Notice of Text published on: September 1, 2023 Link to Agency notice: https://ncdoj.gov/law-enforcement-tra	eining/criminal-justice-forms-and-nublications/
Hearing on: November 15, 2023	แกกสูงเกาและวุนจนออาจากอาลกฉายนอกอลแอกอ
Adoption by Agency on: November 17, 2023	
□ Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	☐ State funds affected
Consultation not required. Cite authority:	Local funds affected
⊠ No	Substantial economic impact (≥\$1,000,000)
₩ 140	☐ Approved by OSBM
	■ No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency	☐ Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
Federal statute / cite: Federal regulation / cite:	☐ Petition for rule-making☐ Other:
9B. Explain:	□ Other:
To update requirements for newly hired law enforcement officers to cor	mplete mandatory in-service training.
10. Rulemaking Coordinator: Michelle Schilling	11. Signature of Agency Head* or Rule making Coordinator:
Michelle Schilling Phone: (919) 779-8205	$N \sim 1000$
E-Mail:	Miller
MSchilling@ncdoj.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone:	Typed Name: Michelle Schilling
E-Mail:	Title: Deputy Director
	D OAH USE ONLY
Action taken:	
RRC extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	

1. Rule-Making Agency: North Carolina Criminal Education	and Training Standards Commission
2. Rule citation & name (name not required for repeal): 12 NCAC 09F .0103 Approval of Courses	
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	☐ Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
☑ Notice Required	
Notice of Text published on: April 3, 2023	
Link to Agency notice: https://ncdoj.gov/law-enforcement-tra	aining/criminal-justice-forms-and-publications/
Hearing on: August 9, 2023	
Adoption by Agency on: August 11, 2023 Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	State funds affected
	Local funds affected Substantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	☑ No fiscal note required
0 DEAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	ON FOR ACTION
⊠ Agency	☐ Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain:	s regarding CCH classes being taught in person only. No virtual classes are
authorized.	s regarding CCH classes being taught in person only. No virtual classes are
10. Rulemaking Coordinator: Michelle Schilling	11. Signature of Agency Head* or Rule-making Coordinator:
Michelle Schilling	I I I I I I I I I I I I I I I I I I I
Phone: (919) 779-8205	
E-Mail:	1 Carrier
MSchilling@ncdoj.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone:	Typed Name: Michelle Schilling
E-Mail:	Title: Deputy Director
	D OAH USE ONLY
Action taken:	
RRC extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review Other:	

· · · · · · · · · · · · · · · · · · ·		
1. Rule-Making Agency: North Carolina Criminal Education and Training Standards Commission		
2. Rule citation & name (name not required for repeal): 12 NCAC 09F .0104 Instructor Qualifications		
3. Action:		
ADOPTION AMENDMENT REPEAL	READOPTION REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority: No	
⊠ No	△ 140	
6. Notice for Proposed Rule:		
Notice Required ■ Control		
Notice of Text published on: April 3, 2023		
Link to Agency notice: https://ncdoj.gov/law-enforcement-train	ining/criminal-justice-forms-and-publications/	
Hearing on: August 9, 2023		
Adoption by Agency on: August 11, 2023		
Notice not required under G.S.: Adoption by Agency on:		
	8. Fiscal impact. Check all that apply.	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	<u> </u>	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:	State funds affected	
Consultation not required. Cite authority:	Local funds affected	
N.	Substantial economic impact (≥\$1,000,000)	
⊠ No	☐ Approved by OSBM	
	No fiscal note required No fiscal note required	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
⊠ Agency	☐ Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law:	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain:		
To update the requirements for Concealed Carry Handgun (CCH) Instru	uctors to be able to deliver CCH courses.	
10. Rulemaking Coordinator: Michelle Schilling	11. Signature of Agency Head* or Rule-making Coordinator:	
Michelle Schilling	$\mathbf{I} \mathbf{I} \mathbf{I} \mathbf{I} \mathbf{I} \mathbf{I} \mathbf{I} \mathbf{I} $	
Phone: (919) 779-8205 E-Mail:	Malwey	
MSchilling@ncdoj.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
	Michallo Sabilling	
Phone:	Typed Name: Michelle Schilling	
E-Mail:	Title: Deputy Director O OAH USE ONLY	
Action taken:	OAH USE UNEI	
Activit tarcii.		
RRC extended period of review:		
RRC determined substantial changes:		
Withdrawn by agency		
Subject to Legislative Review		

1. Rule-Making Agency: North Carolina Criminal Education and Training Standards Commission		
2. Rule citation & name (name not required for repeal):12 NCAC 09F .0105 Instructor Responsibilities		
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: April 3, 2023 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/criminal-justice-forms-and-publications/ Hearing on: August 9, 2023 Adoption by Agency on: November 17, 2023 Notice not required under G.S.:		
Adoption by Agency on: 7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	1_	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority:	☐ State funds affected	
Consultation not required. The authority.	Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM	
	■ Approved by OSBN No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: To update training manual requirements that Concealed Carry Handgur		
10. Rulemaking Coordinator: Michelle Schilling Michelle Schilling	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: (919) 779-8205		
E-Mail:	Villand	
MSchilling@ncdoj.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone:	Typed Name: Michelle Schilling	
E-Mail:	Title: Deputy Director	
RRC AND Action taken:	OAH USE ONLY	
ACTION TARENT		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: North Carolina Criminal Education a	and Training Standards Commission	
2. Rule citation & name (name not required for repeal):12 NCAC 09G .0307 Certification of Instructors		
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL		
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☑ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 1, 2023 Link to Agency notice: https://ncdoj.gov/law-enforcement-training/criminal-justice-forms-and-publications/ Hearing on: November 15, 2023 Adoption by Agency on: November 17, 2023 □ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☑ No	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM ⋈ No fiscal note required 	
	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: To update application submission requirements for instructors.	 □ Legislation enacted by the General Assembly Cite Session Law: □ Petition for rule-making □ Other: 	
10. Rulemaking Coordinator: Michelle Schilling Michelle Schilling Phone: (919) 779-8205 E-Mail: MSchilling@ncdoj.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone:	Typed Name: Michelle Schilling	
E-Mail:	Title: Deputy Director D OAH USE ONLY	
Action taken:	JOHN COL CIVE	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: North Carolina Department of Labor		
2. Rule citation & name (name not required for repeal): 13 NCAC 15 .04300438		
3. Action:		
□ ADOPTION □ AMENDMENT ☒ REPEAL □	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required		
Notice of Text published on: Link to Agency notice:		
Hearing on:		
Adoption by Agency on:		
Notice not required under G.S.: 150B-21.5(b)(1) Adoption by Agency on: October 10, 2023		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
- National Control of the Control of	☐ This Rule was part of a combined analysis.	
Yes	This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority:	State funds affected	
Consultation not required. Cite authority.	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000) Approved by OSBM	
	No fiscal note required	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency	☐ Legislation enacted by the General Assembly	
Court order / cite: Federal statute / cite:	Cite Session Law: 2021-82, s. 4(a) Petition for rule-making	
Federal statute / cite: Petition for rule-making Federal regulation / cite: Other:		
9B. Explain: Inflatable Devices were removed from the jun	risdiction of the Elevator and Amusement Device Bureau (see	
Session Law 2023-137, Section 48); therefore, these rules are no longer applicable as of October 10, 2023, the date House Bill		
600 became law.		
10. Rulemaking Coordinator: Jill F. Cramer	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-707-7710	10	
E-Mail: jill.cramer@labor.nc.gov	Au Ilu	
	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any: Carla Rose Phone: 919-707-7712	G.S. 143B-10(a), submit a copy of the delegation with this form.	
E-Mail: carla.rose@labor.nc.gov	Typed Name: Jill F. Cramer	
	Title: General Counsel / Rule-making Coordinator	
DDC AND	OAH USE ONLY	
Action taken:	OAH USE ONLY	
Secretary Secretary		
RRC extended period of review:		
RRC determined substantial changes:		
☐ Withdrawn by agency		
Subject to Legislative Review		
Other:		

1. Rule-Making Agency: North Carolina Department of Public	Safety	
2. Rule citation & name (name not required for repeal): 14B NCAC 03 .0502 ABBREVATIONS AND DEFINITIONS		
3. Action: X ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority: ☑ No	☐ Yes. Cite authority: No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 1, 2023 Link to Agency notice: https://www.ncdps.gov/14-b-ncac-03-0501-emergency-management-hazardous-material-regional-response-program Hearing on: n/a Adoption by Agency on: November 1, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
П.:	■ This Rule was part of a combined analysis.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Will Polk	11. Signature of Agency Head* or Rule-making Coordinator:	
Will Polk Phone: 919-825-2706 E-Mail: will.polk@ncdps.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any: Margaret McDonald	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: 919-733-2126	Typed Name: William M. Polk	
E-Mail: margaret.mcdonald@ncdps.gov	Title: Deputy General Counsel	
	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: North Carolina Department of Public Safety		
2. Rule citation & name (name not required for repeal): 14B NCAC 03 .0503 DISPACTH OF A REGIONAL RESPONSE	= TEAM	
3. Action: ☑ ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority: ☑ No	☐ Yes. Cite authority: ☑ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 1, 2023 Link to Agency notice: https://www.ncdps.gov/14-b-ncac-03-0501-emergency-management-hazardous-material-regional-response-program Hearing on: n/a Adoption by Agency on: November 1, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
□ Yes	■ This Rule was part of a combined analysis.	
 ✓ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ✓ No 	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency		
Will Polk Phone: 919-825-2706		
E-Mail: will.polk@ncdps.gov Additional agency contact, if any: Margaret McDonald Phone: 919-733-2126 E-Mail: margaret.mcdonald@ncdps.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: William M. Polk Title: Deputy General Counsel	
	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: North Carolina Department of Public	Safety	
2. Rule citation & name (name not required for repeal): 14B NCAC 03 .0504 ON-SITE OPERATIONS OF A PROGRAM RESOURCE		
3. Action: X ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:☒ No	☐ Yes. Cite authority: ☑ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 1, 2023 Link to Agency notice: https://www.ncdps.gov/14-b-ncac-03-0501-emergency-management-hazardous-material-regional-response-program Hearing on: n/a Adoption by Agency on: November 1, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	■ This Rule was part of a combined analysis.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 ∑ State funds affected ∑ Local funds affected ∑ Substantial economic impact (≥\$1,000,000) ∑ Approved by OSBM ☐ No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Will Polk Will Polk	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-825-2706 E-Mail: will.polk@ncdps.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any: Margaret McDonald	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: 919-733-2126	Typed Name: William M. Polk	
E-Mail: margaret.mcdonald@ncdps.gov	Title: Deputy General Counsel	
Action taken:	OAH USE ONLY	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: North Carolina Department of Public	Safety	
2. Rule citation & name (name not required for repeal): 14B NCAC 03 .0505 STANDARDS FOR ADMINISTRATION O	F A REGIONAL RESPONSE TEAM, INCLUDING PROCEDURES FO	
3. Action: ☑ ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 1, 2023 Link to Agency notice: https://www.ncdps.gov/14-b-ncac-03-0501-emergency-management-hazardous-material-regional-response-program Hearing on: n/a Adoption by Agency on: November 1, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☑ No 	 Image: Item	
	<u>, </u>	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Cite Session Law: 1993-769 Federal statute / cite: Petition for rule-making Federal regulation / cite: Other: 9B. Explain: The Department of Public Safety, Division of Emergency Management is promulgating permanent rules as required under N.C. Sess. Law 1993-769. The necessity of a State Regional Response Team Program has been made apparent through the significant number of hazardous materials incidents that have required coordinated and qualified resources to augment local hazardous materials response capabilities. Rules are required to ensure an equitable implementation of the NC Regional Response Team Program. The NC Regional Response Team Program is a partnership between local and State governments where the State augments local response capabilities to enhance disaster response capabilities through a regional approach. These rules establish standards for eligibility, resource type, and response expectations both administratively as well as operationally when responding under the authorities of the NC Regional Response Team Program. The rules of this section only apply to those entities who elect to participate in the program		
10. Rulemaking Coordinator: Will Polk	11. Signature of Agency Head* or Rule-making Coordinator:	
Will Polk Phone: 919-825-2706 E-Mail: will.polk@ncdps.gov Additional agency contact, if any: Margaret McDonald Phone: 919-733-2126 E-Mail: margaret.mcdonald@ncdps.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: William M. Polk Title: Deputy General Counsel	
	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: North Carolina Department of Public	Safety	
2. Rule citation & name (name not required for repeal): 14B NCAC 03 .0506 RECOVERING THE COSTS OF A REGIONAL RESPONSE TEAM		
3. Action: X ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:☒ No	☐ Yes. Cite authority:☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 1, 2023 Link to Agency notice: https://www.ncdps.gov/14-b-ncac-03-0501-emergency-management-hazardous-material-regional-response-program Hearing on: n/a Adoption by Agency on: November 1, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	■ This Rule was part of a combined analysis.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 ∑ State funds affected ∑ Local funds affected ∑ Substantial economic impact (≥\$1,000,000) ∑ Approved by OSBM ☐ No fiscal note required 	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency Court order / cite: Federal statute / cite: Petition for rule-making The Department of Public Safety, Division of Emergency Management is promulgating permanent rules as required under N.C. Sess. Law 1993-769. The necessity of a State Regional Response Team Program has been made apparent through the significant number of hazardous materials incidents that have required coordinated and qualified resources to augment local hazardous materials response Capabilities. Rules are required to ensure an equitable implementation of the NC Regional Response Team Program. The NC Regional Response Team Program is a partnership between local and State governments where the State augments local response capabilities to enhance disaster response capabilities through a regional approach. These rules establish standards for eligibility, resource type, and response expectations both administratively as well as operationally when responding under		
10. Rulemaking Coordinator: Will Polk	of this section only apply to those entities who elect to participate in the program 11. Signature of Agency Head* or Rule-making Coordinator:	
Will Polk Phone: 919-825-2706 E-Mail:	will polk	
will.polk@ncdps.gov Additional agency contact, if any: Margaret McDonald	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: 919-733-2126	Typed Name: William M. Polk	
E-Mail: margaret.mcdonald@ncdps.gov	Title: Deputy General Counsel	
Action taken:	OAH USE ONLY	
 □ RRC extended period of review: □ RRC determined substantial changes: □ Withdrawn by agency □ Subject to Legislative Review □ Other: 		

1. Rule-Making Agency: North Carolina Department of Public	Safety	
2. Rule citation & name (name not required for repeal): 14B NCAC 03 .0507 PROCEDURES FOR BIDDING AND CON	TRACTING FOR REGIONAL RESPONSE TEAM	
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:☒ No	☐ Yes. Cite authority:☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 1, 2023 Link to Agency notice: https://www.ncdps.gov/14-b-ncac-03-0501-emergency-management-hazardous-material-regional-response-program Hearing on: n/a Adoption by Agency on: November 1, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☒ This Rule was part of a combined analysis.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 ∑ State funds affected ∑ Local funds affected ∑ Substantial economic impact (≥\$1,000,000) ∑ Approved by OSBM ☐ No fiscal note required 	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
Agency Court order / cite: Federal statute / cite: Petition for rule-making The Department of Public Safety, Division of Emergency Management is promulgating permanent rules as required under N.C. Sess. Law 1993-769. The necessity of a State Regional Response Team Program has been made apparent through the significant number of hazardous materials incidents that have required coordinated and qualified resources to augment local hazardous materials response Capabilities. Rules are required to ensure an equitable implementation of the NC Regional Response Team Program. The NC Regional Response Team Program is a partnership between local and State governments where the State augments local response capabilities to enhance disaster response capabilities through a regional approach. These rules establish standards for eligibility, resource type, and response expectations both administratively as well as operationally when responding under		
	of this section only apply to those entities who elect to participate in the program 11. Signature of Agency Head* or Rule-making Coordinator:	
Will Polk Phone: 919-825-2706 E-Mail:	will polk	
will.polk@ncdps.gov Additional agency contact, if any: Margaret McDonald	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: 919-733-2126	Typed Name: William M. Polk	
E-Mail: margaret.mcdonald@ncdps.gov	Title: Deputy General Counsel	
Action taken:	OAH USE ONLY	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: North Carolina Department of Public Safety		
2. Rule citation & name (name not required for repeal): 14B NCAC 03 .0508 CRITERIA FOR EVALUATING BIDS FOR	CONTRACT RESPONSE TEAM	
3. Action: ☑ ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:☒ No	☐ Yes. Cite authority: ☑ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 1, 2023 Link to Agency notice: https://www.ncdps.gov/14-b-ncac-03-0501-emergency-management-hazardous-material-regional-response-program Hearing on: n/a Adoption by Agency on: November 1, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
□ Vos	■ This Rule was part of a combined analysis.	
 ✓ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ✓ No 	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency		
Will Polk	100000	
Phone: 919-825-2706 E-Mail: will.polk@ncdps.gov Additional agency contact, if any: Margaret McDonald Phone: 919-733-2126 E-Mail: margaret.mcdonald@ncdps.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: William M. Polk Title: Deputy General Counsel	
	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: North Carolina Department of Public	Safety	
2. Rule citation & name (name not required for repeal): 14B NCAC 03 .0509 PERSONNEL, TRAINING, AND EQUIPMENT STANDARDS FOR REGIONAL RESPONSE TEAM REQUIREME		
3. Action: X ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:☒ No	☐ Yes. Cite authority: ☑ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 1, 2023 Link to Agency notice: https://www.ncdps.gov/14-b-ncac-03-0501-emergency-management-hazardous-material-regional-response-program Hearing on: n/a Adoption by Agency on: November 1, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	■ This Rule was part of a combined analysis.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 ∑ State funds affected ∑ Local funds affected ∑ Substantial economic impact (≥\$1,000,000) ∑ Approved by OSBM ☐ No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Will Polk Will Polk	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-825-2706 E-Mail: will.polk@ncdps.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Margaret McDonald	Typed Name: William M. Polk	
Phone: 919-733-2126 E-Mail: margaret.mcdonald@ncdps.gov	Title: Deputy General Counsel	
	OAH USE ONLY	
Action taken:		
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:		

1. Rule-Making Agency: N.C. Private Protective Services Boa	ard	
2. Rule citation & name (name not required for repeal):		
14B NCAC 16 .0701 Application for Unarmed Security Guard Registration		
3. Action: ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
⊠ Notice Required		
Notice of Text published on: June 15, 2023 Link to Agency notice: https://www.ncdps.gov/about-dps/boa	urds-commissions/private-protective-services-board	
Hearing on: July 11, 2023	indo definitione in the process of the second secon	
Adoption by Agency on: October 19, 2023		
Notice not required under G.S.:		
Adoption by Agency on: 7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
7. Kule establishes of increases a feet (See G.S. 12-5.1)	This Rule was part of a combined analysis.	
Yes	I has true was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority:	State funds affected	
Consultation not required. One numbers,	☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000)	
⊠ No	Approved by OSBM	
	No fiscal note required	
9. REAS	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
⊠ Agency	Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law: Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain:		
Currently ,0701(a)(3) requires only 48 months which is inconsistent wit	h all other new credentials such as new armed guard registration, new firearms r registration and new and renewal licenses, all of which require 60 days.	
trainer, now disarried arristed out region and in the arriver arriver arriver arriver.		
10. Rulemaking Coordinator: Jeffrey P. Gray	11. Signature of Agency Head* or Rule-making Coordinator:	
Jeffrey P. Gray		
Phone: (919) 828-0731 E-Mail:	() which there	
jgray@bdixon.com	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B 10(a), submit a copy of the delegation with this form.	
Phone:	Typed Name: Jeffrey P. Gray	
E-Mail;	Title: Rulemaking Coordinator	
	D OAH USE ONLY	
Action taken:		
RRC extended period of review:		
RRC determined substantial changes: Withdrawn by agency		
Subject to Legislative Review		
Other:		

1. Rule-Making Agency: N.C. Private Protective Services Boa	ard
2. Rule citation & name (name not required for repeal):	
14B NCAC 16 .0708 Trainer Name to Be Submitted to Director 3. Action:	
☐ ADOPTION ☐ AMENDMENT ☒ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority: No
⊠ No	<u> </u>
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: June 15, 2023	
Link to Agency notice: https://www.ncdps.gov/about-dps/boa	ards-commissions/private-protective-services-board
Hearing on: July 11, 2023	
Adoption by Agency on: October 19, 2023	
Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
Yes Agency submitted request for consultation on:	Ct. t. C dv - ffcotod
Consultation not required. Cite authority:	☐ State funds affected☐ Local funds affected
M N	Substantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	No fiscal note required
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	☐ Legislation enacted by the General Assembly
	Cite Session Law:
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	☐ Other:
9B. Explain: This rule is being repealed since this information is uploaded as part of	f.0907.
The rule to being repeated and	
10 D 11 C 11 C 17 D 2	11. Signature of Agency Head* or Rule-making Coordinator:
10. Rulemaking Coordinator: Jeffrey P. Gray Jeffrey P. Gray	11. Signature of Agency Dead. of Kule-making Cooldmator.
Phone: (919) 828-0731	I M M
E-Mail:	July 1, 12, and
jgray@bdixon.com Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Additional agency contact, if any:	
Phone:	Typed Name: Jeffrey P. Gray
E-Mail:	Title: Rulemaking Coordinator D OAH USE ONLY
Action taken:	Z VARRA UNIN VALLER
RRC extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: N.C. Private Protective Services Boa	rd
2. Rule citation & name (name not required for repeal):	
14B NCAC 16 .0902 Application for Firearms Trainer Certificate	
3. Action: ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
⊠ Notice Required	
Notice of Text published on: June 15, 2023 Link to Agency notice: https://www.ncdps.gov/about-dps/boa	rds-commissions/private-protective-services-board
Hearing on: July 11, 2023	(ab dominional production of the control of the con
Adoption by Agency on: October 19, 2023	
Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
Yes Agency submitted request for consultation on:	
Consultation not required. Cite authority:	State funds affected Local funds affected
	Substantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	No fiscal note required No fiscal note required
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	The state of the Council Assembly
	☐ Legislation enacted by the General Assembly Cite Session Law:
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain:	forming amendment to this rule was not made when 14B NCAC 16 .0901(c) and
(d) were adopted. Additionally, the Justice Academy is no longer the se	ole source of firearms trainer training so .0902 is amended to reflect this.
10. Rulemaking Coordinator: Jeffrey P. Gray	11. Signature of Agency Head* or Rule-making Coordinator:
Jeffrey P. Gray Phone: (919) 828-0731	- · · · · · · · · · · · · · · · · · · ·
E-Mail:	March March
Jgray@bdlxon.com	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Additional agency contact, if any:	
Phone:	Typed Name: Jeffrey P. Gray
E-Mail:	Title: Rulemaking Coordinator O OAH USE ONLY
Action taken:	J OAH USE URLI
}	
DDC outended newled of reviews	
RRC extended period of review: RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: N.C. Private Protective Services Boa	rd
2. Rule citation & name (name not required for repeal):	
14B NCAC 16 .0904 Renewal of A Firearms Trainer Certificate	
3. Action: ADOPTION AMENDMENT REPEAL	READOPTION REPEAL THROUGH READOPTION
ADOPTION X AMENDMENT REPEAL 4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes, Cite authority:	☐ Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required have 15, 2023	
Notice of Text published on: June 15, 2023 Link to Agency notice: https://www.ncdps.gov/about-dps/boa	rds-commissions/private-protective-services-board
Hearing on: July 11, 2023	
Adoption by Agency on: October 19, 2023	
Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
_	☐ This Rule was part of a combined analysis.
Yes Agency submitted request for consultation on:	☐ State funds affected
Consultation not required. Cite authority:	Local funds affected
	☐ Substantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	No fiscal note required
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	T v taletter mental by the Coneval Assembly
X Agency ☐ Court order / cite:	Legislation enacted by the General Assembly Cite Session Law:
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain:	consistent with the rule for renewing an unarmed guard trainer certificate which
requires 24 months.	Completed with the fall for following an analysis a
·	
10. Rulemaking Coordinator: Jeffrey P. Gray	11. Signature of Agency Head* or Rule-making Coordinator:
Jeffrey P. Gray Phone: (919) 828-0731	1. 7
E-Mail:	March 1. Mary
]gray@bdixon.com	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Additional agency contact, if any:	
Phone:	Typed Name: Jeffrey P. Gray
E-Mail:	Title: Rulemaking Coordinator
	D OAH USE ONLY
Action taken:	
RRC extended period of review:	
RRC determined substantial changes: Withdrawn by agency	
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: N.C. Private Protective Services Boa	rd
2. Rule citation & name (name not required for repeal):	
14B NCAC 16 .0910 Application for An Unarmed Trainer	
3. Action:	READOPTION REPEAL THROUGH READOPTION
ADOPTION AMENDMENT REPEAL	5. Rule automatically subject to legislative review?
4. Rule exempt from RRC review?	Yes, Cite authority:
☐ Yes. Cite authority: ☐ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required 1. 2000	
Notice of Text published on: June 15, 2023	rde commissions/private_protective-services-hoard
Link to Agency notice: https://www.ncdps.gov/about-dps/boat Hearing on: July 11, 2023	jus-commissions/private protestive services as a
Adoption by Agency on: October 19, 2023	
Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
Yes Agency submitted request for consultation on:	Cr. 4. Condo officeded
Consultation not required. Cite authority:	☐ State funds affected☐ Local funds affected
	☐ Substantial economic impact (≥\$1,000,000)
N₀	Approved by OSBM
	No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
⊠ Agency	☐ Legislation enacted by the General Assembly
Court order / cite:	_ Cite Session Law:
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain: Existing .0910 (application for unarmed guard trainer) is amended to m	natch the regulrements of .0902 (application for firearms trainer.)
Existing .00 to (application for unarried guard trainer) to universe to the	· · · · · · · · · · · · · · · · · · ·
·	
10. Rulemaking Coordinator: Jeffrey P. Gray	11. Signature of Agency Head* or Rule-making Coordinator:
Jeffrey P. Gray	
Phone: (919) 828-0731	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
E-Mail:	*If this function has been delegated (reassigned) pursuant to
igray@bdixon.com	G.S. 143B-10(a), submit a copy of the delegation with this form.
Additional agency contact, if any:	
Phone:	Typed Name: Jeffrey P. Gray
E-Mail:	Title: Rulemaking Coordinator
	D OAH USE ONLY
Action taken:	
☐ RRC extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency	
☐ Subject to Legislative Review ☐ Other:	
U Other:	

1. Rule-Making Agency: N.C. Private Protective Services Boa	ard .
2. Rule citation & name (name not required for repeal):	
14B NCAC 16 .0912 Rosters of Unarmed Trainer Classes	
3. Action: ADOPTION AMENDMENT X REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ N ₀	⊠ No
6. Notice for Proposed Rule:	
☑ Notice Required	
Notice of Text published on: June 15, 2023 Link to Agency notice: https://www.ncdps.gov/about-dps/boa	orde commissions/nrivate-protective-services-hoard
Hearing on: July 11, 2023	ilus-commissions/private-protective solvious board
Adoption by Agency on: October 19, 2023	
☐ Notice not required under G.S.:	
Adoption by Agency on:	8. Fiscal impact. Check all that apply.
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	·
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on: Consultation not required. Cite authority:	State funds affected
Consultation not required. One authority.	Local funds affected
⊠ No	☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM
	No fiscal note required
0 DEAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	ONFORMATION
⊠ Agency	☐ Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
Federal statute / cite: Federal regulation / cite:	☐ Petition for rule-making ☐ Other:
9B. Explain:	
This rule is being repealed because this information is now uploaded a	s part of the renewal process.
10. Rulemaking Coordinator: Jeffrey P. Gray	11, Signature of Agency Head* or Rule-making Coordinator:
Jeffrey P. Gray	1
Phone: (919) 828-0731	11.0.04
E-Mail:	*If this function has been delegated (reassigned) pursuant to
jgray@bdixon.com Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Additional agoney contacts it may.	1 1 1
Phone:	Typed Name: Jeffrey P. Gray Title: Rulemaking Coordinator
E-Mail:	D OAH USE ONLY
Action taken:	
RRC extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: N.C. Private Protective Services Board		
2. Rule citation & name (name not required for repeal):14B NCAC 16 .1109 Training and Supervision for Private Invest	igator Associates	
3. Action: ADOPTION AMENDMENT REPEAL	READOPTION REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☑ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: June 15, 2023 Link to Agency notice: https://www.ncdps.gov/about-dps/boards-commissions/private-protective-services-board Hearing on: July 11, 2023 Adoption by Agency on: October 19, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	☐ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM ☒ No fiscal note required	
	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: The private investigator industry expressed to the Board an interest in apprenticeships had not previously existed the Board did not comply winterns and apprentices.	Legislation enacted by the General Assembly Cite Session Law: Petition for rule-making Other: Deling able to employ interns and participate in apprenticeship programs. (Since lith G. S. 93B-8.6 when enacted.) New .1109 allows for probationary employees,	
10. Rulemaking Coordinator: Jeffrey P. Gray Jeffrey P. Gray Phone: (919) 828-0731 E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:	
jgray@bdlxon.com Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: E-Mail:	Typed Name: Jeffrey P. Gray Title: Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review		
Other:		

1. Rule-Making Agency: Coastal Resources Commission		
2. Rule citation & name (name not required for repeal): 15	5A NCAC 07H .1103 Permit Fee	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 09/01/23 Link to Agency notice: https://www.deq.nc.gov/accessdeq/rules-regulations/deq-proposed-rules/proposed-rules Hearing on: 09/21/23 Adoption by Agency on: 11/09/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
⊠ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:9/01/23 Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Jennifer Everett	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-707-8595 E-Mail: Jennifer.Everett@deq.nc.gov	Sonfe X Eventh	
Additional agency contact, if any: Mike Lopazanski Phone: 252-515-5400 E-Mail: Mike.Lopazanski@deq.nc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DEQ Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: Coastal Resources Commission		
2. Rule citation & name (name not required for repeal): 15	5A NCAC 07H .1203 Permit Fee	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 09/01/23 Link to Agency notice: https://www.deq.nc.gov/accessdeq/rules-regulations/deq-proposed-rules/proposed-rules Hearing on: 09/21/23 Adoption by Agency on: 11/09/23 □ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
⊠ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:9/01/23 Consultation not required. Cite authority:	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Jennifer Everett	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-707-8595 E-Mail: Jennifer.Everett@deq.nc.gov	Songer & Present	
Additional agency contact, if any: Mike Lopazanski Phone: 252-515-5400 E-Mail: Mike.Lopazanski@deq.nc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DEQ Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: Coastal Resources Commission		
2. Rule citation & name (name not required for repeal): 15	5A NCAC 07H .1303 Permit Fee	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 09/01/23 Link to Agency notice: https://www.deq.nc.gov/accessdeq/rules-regulations/deq-proposed-rules/proposed-rules Hearing on: 09/21/23 Adoption by Agency on: 11/09/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
⊠ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:9/01/23 Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Jennifer Everett	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-707-8595 E-Mail: Jennifer.Everett@deq.nc.gov	January Function of Rule-making Coordinator:	
Additional agency contact, if any: Mike Lopazanski Phone: 252-515-5400 E-Mail: Mike.Lopazanski@deq.nc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DEQ Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: Coastal Resources Commission		
2. Rule citation & name (name not required for repeal): 15	5A NCAC 07H .1403 Permit Fee	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 09/01/23 Link to Agency notice: https://www.deq.nc.gov/accessdeq/rules-regulations/deq-proposed-rules/proposed-rules Hearing on: 09/21/23 Adoption by Agency on: 11/09/23 □ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
⊠ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:9/01/23 Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Jennifer Everett	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-707-8595 E-Mail: Jennifer.Everett@deq.nc.gov	Sonfe X Eventh	
Additional agency contact, if any: Mike Lopazanski Phone: 252-515-5400 E-Mail: Mike.Lopazanski@deq.nc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DEQ Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: Coastal Resources Commission		
2. Rule citation & name (name not required for repeal): 15	5A NCAC 07H .1503 Application Fee	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 09/01/23 Link to Agency notice: https://www.deq.nc.gov/accessdeq/rules-regulations/deq-proposed-rules/proposed-rules Hearing on: 09/21/23 Adoption by Agency on: 11/09/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
⊠ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:9/01/23 Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Jennifer Everett	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-707-8595 E-Mail: Jennifer.Everett@deq.nc.gov	Lange X Purett	
Additional agency contact, if any: Mike Lopazanski Phone: 252-515-5400 E-Mail: Mike.Lopazanski@deq.nc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DEQ Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: Coastal Resources Commission		
2. Rule citation & name (name not required for repeal): 15	5A NCAC 07H .1903 Permit Fee	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 09/01/23 Link to Agency notice: https://www.deq.nc.gov/accessdeq/rules-regulations/deq-proposed-rules/proposed-rules Hearing on: 09/21/23 Adoption by Agency on: 11/09/23 □ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
⊠ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:9/01/23 Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Jennifer Everett	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-707-8595 E-Mail: Jennifer.Everett@deq.nc.gov	Sonfe X Furth	
Additional agency contact, if any: Mike Lopazanski Phone: 252-515-5400 E-Mail: Mike.Lopazanski@deq.nc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DEQ Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: Coastal Resources Commission		
2. Rule citation & name (name not required for repeal): 15	5A NCAC 07H .2003 Permit Fee	
3. Action: ADOPTION AMENDMENT REPEAL	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 09/01/23 Link to Agency notice: https://www.deq.nc.gov/accessdeq/rules-regulations/deq-proposed-rules/proposed-rules Hearing on: 09/21/23 Adoption by Agency on: 11/09/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
⊠ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:9/01/23 Consultation not required. Cite authority:	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency Legislation enacted by the General Assembly Court order / cite: Cite Session Law: Federal statute / cite: Petition for rule-making Federal regulation / cite: Other: 9B. Explain: These amendments increase fees for most Coastal Area Management Act (CAMA) permit actions including increasing fees for all General Permits.		
10. Rulemaking Coordinator: Jennifer Everett	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-707-8595 E-Mail: Jennifer.Everett@deq.nc.gov	Lange X Emutt	
Additional agency contact, if any: Mike Lopazanski Phone: 252-515-5400 E-Mail: Mike.Lopazanski@deq.nc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett	
DDC AND	Title: DEQ Rulemaking Coordinator	
Action taken:	O OAH USE ONLY	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: Coastal Resources Commission		
2. Rule citation & name (name not required for repeal): 15	5A NCAC 07H .2103 Permit Fee	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 09/01/23 Link to Agency notice: https://www.deq.nc.gov/accessdeq/rules-regulations/deq-proposed-rules/proposed-rules Hearing on: 09/21/23 Adoption by Agency on: 11/09/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
⊠ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:9/01/23 Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Jennifer Everett	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-707-8595 E-Mail: Jennifer.Everett@deq.nc.gov	Lange X Purett	
Additional agency contact, if any: Mike Lopazanski Phone: 252-515-5400 E-Mail: Mike.Lopazanski@deq.nc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DEQ Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: Coastal Resources Commission	
2. Rule citation & name (name not required for repeal): 15	5A NCAC 07H .2203 Permit Fee
3. Action: ☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required ■	
Notice of Text published on: 09/01/23	
Link to Agency notice: https://www.deq.nc.gov/accessde	eq/rules-regulations/deq-proposed-rules/proposed-rules
Hearing on: 09/21/23 Adoption by Agency on: 11/09/23	
Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
Yes Agency submitted request for consultation on:9/01/23	I ms rule was part of a combined analysis.
Consultation not required. Cite authority:	State funds affected State funds affected
	Local funds affected
□ No	Substantial economic impact (≥\$1,000,000)Approved by OSBM
	No fiscal note required
0 DEAC	
94. What prompted this action? Check all that apply:	ON FOR ACTION
✓ Agency	☐ Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
Federal statute / cite:	Petition for rule-making
☐ Federal regulation / cite:	Other:
9B. Explain:	
These amendments increase fees for most Coastal Area Manag General Permits.	gement Act (CAMA) permit actions including increasing fees for all
General Fermits.	
10. Rulemaking Coordinator: Jennifer Everett	11. Signature of Agency Head* or Rule-making Coordinator:
DI 010 707 0505	Songer & Purett
Phone: 919-707-8595 E-Mail: Jennifer.Everett@deq.nc.gov	Andra, and
E-Wall: Jeiliner.Everett@deq.nc.gov	
Additional agency contact, if any: Mike Lopazanski	
Phone: 252-515-5400	*If this function has been delegated (reassigned) pursuant to
E-Mail: Mike.Lopazanski@deq.nc.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.
	Toward Names Laurice France
	Typed Name: Jennifer Everett Title: DEQ Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken:	
DPC extended period of review	
RRC extended period of review: RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: Coastal Resources Commission		
2. Rule citation & name (name not required for repeal): 15	SA NCAC 07H .2403 Permit Fee	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 09/01/23 Link to Agency notice: https://www.deq.nc.gov/accessdeq/rules-regulations/deq-proposed-rules/proposed-rules Hearing on: 09/21/23 Adoption by Agency on: 11/09/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
⊠ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:9/01/23 Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Jennifer Everett	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-707-8595 E-Mail: Jennifer.Everett@deq.nc.gov	Lange X Furth	
Additional agency contact, if any: Mike Lopazanski Phone: 252-515-5400 E-Mail: Mike.Lopazanski@deq.nc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Jennifer Everett Title: DEQ Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: Coastal Resources Commission		
2. Rule citation & name (name not required for repeal): 15	7A NCAC 07H .2503 Permit Fee	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 09/01/23 Link to Agency notice: https://www.deq.nc.gov/accessdeq/rules-regulations/deq-proposed-rules/proposed-rules Hearing on: 09/21/23 Adoption by Agency on: 11/09/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
⊠ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:9/01/23 Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Jennifer Everett Phone: 919-707-8595 E-Mail: Jennifer.Everett@deq.nc.gov Additional agency contact, if any: Mike Lopazanski Phone: 252-515-5400 E-Mail: Mike.Lopazanski@deq.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
	Typed Name: Jennifer Everett Title: DEO Bylameking Coordinator	
Title: DEQ Rulemaking Coordinator RRC AND OAH USE ONLY		
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other		

1. Rule-Making Agency: Coastal Resources Commission		
2. Rule citation & name (name not required for repeal): 15	A NCAC 07H .2703 Permit Fee	
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 09/01/23 Link to Agency notice: https://www.deq.nc.gov/accessdeq/rules-regulations/deq-proposed-rules/proposed-rules Hearing on: 09/21/23 Adoption by Agency on: 11/09/23 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
⊠ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:9/01/23 Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Jennifer Everett Phone: 919-707-8595 E-Mail: Jennifer.Everett@deq.nc.gov Additional agency contact, if any: Mike Lopazanski Phone: 252-515-5400 E-Mail: Mike.Lopazanski@deq.nc.gov	11. Signature of Agency Head* or Rule-making Coordinator: *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
	Typed Name: Jennifer Everett Title: DEO Pulamaking Coordinator	
Title: DEQ Rulemaking Coordinator RRC AND OAH USE ONLY		
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: North Carolina Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10B .0501 DEFINITIONS AND GENERAL REQ	QUIREMENTS
3. Action:	DEADORTION DEPEND A LIBERDORTION
△ ADOPTION △ AMENDMENT △ REPEAL △ 4. Rule exempt from RRC review?	READOPTION REPEAL through READOPTION 5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
No No	☐ Tes. Cite authority: ☐ No
6. Notice for Proposed Rule:	<u> </u>
•	
Notice Required	
Notice of Text published on: 08/15/2023 Link to Agency notice: https://www.ncwildlife.org/Propo	ocad Pagulations
Hearing on: 09/21/2023	osed-Regulations
Adoption by Agency on: 10/26/2023	
☐ Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
Yes	
Agency submitted request for consultation on: Consultation not required. Cite authority:	∑ State funds affected
Consultation not required. Cite authority.	Local funds affected
⊠ No	Substantial economic impact (≥\$1,000,000)
	
	•
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency	Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
☐ Federal statute / cite:☐ Federal regulation / cite:	☐ Petition for rule-making ☐ Other:
rederal regulation / cite.	_ Other.
9B. Explain:	
Clarifies applicability of rules in the Section and defines CWD	9-related terms.
10. Rulemaking Coordinator: Carrie Ruhlman	11. Signature of Agency Head* or Rule-making Coordinator:
Phone: 919-707-0011	_
E-Mail: carrie.ruhlman@ncwildlife.org	Carrix A. Ruhlman
Additional agency contact, if any: Melva Bonner	*If this function has been delegated (reassigned) pursuant to
Phone: 919-707-0014	G.S. 143B-10(a), submit a copy of the delegation with this form.
E-Mail: melva.bonner@ncwildlife.org	(//
	Typed Name: Carrie Ruhlman
	Title: Rulemaking Coordinator
	OAH USE ONLY
Action taken:	
RRC extended period of review:	
RRC determined substantial changes:	
☐ Withdrawn by agency	
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: North Carolina Wildlife Resources Commission		
2. Rule citation & name (name not required for repeal): 15A NCAC 10B .0503 SURVEILLANCE AREA		
3. Action: ☑ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 08/15/2023 Link to Agency notice: https://www.ncwildlife.org/Proposed-Regulations Hearing on: 09/21/2023 Adoption by Agency on: 10/26/2023		
Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
7. Rule establishes of increases a ree. (See G.S. 12-3.1)		
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority:	 ∑ State funds affected ∑ Local funds affected 	
⊠ No	Substantial economic impact (\geq\\$1,000,000)	
	☑ Approved by OSBM☑ No fiscal note required	
A DELCC	2	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION	
A Agency	Logislation enacted by the Conoral Assembly	
Court order / cite:	Legislation enacted by the General Assembly Cite Session Law:	
Federal statute / cite:	Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain:		
Clarifies applicability of rules in the Section and defines CWD	-related terms.	
10. Rulemaking Coordinator: Carrie Ruhlman	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 919-707-0011	11. Signature of Agency fread of Rule-making Coordinator.	
E-Mail: carrie.ruhlman@ncwildlife.org	Carris A. Ruhlman	
Additional agency contact, if any: Melva Bonner	*If this function has been delegated (reassigned) pursuant to	
Phone: 919-707-0014 E-Mail: melva.bonner@ncwildlife.org	G.S. 143B-10(a), submit a copy of the delegation with this form.	
E-Man. merva.bonner@newnume.org	Typed Name: Carrie Ruhlman	
	Title: Rulemaking Coordinator	
	OAH USE ONLY	
Action taken:		
RRC extended period of review:		
RRC determined substantial changes:		
☐ Withdrawn by agency		
Subject to Legislative Review		
U Other:		

1. Rule-Making Agency: North Carolina Wildlife Resources Commission	
2. Rule citation & name (name not required for repeal): 15A NCAC 10F .0333 MECKLENBURG AND GASTON CO	DUNTIES
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	READOPTION REPEAL through READOPTION 5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
No No	No No
6. Notice for Proposed Rule:	
•	
Notice Required Notice of Text published on: 08/15/2023	
Link to Agency notice: https://www.ncwildlife.org/Propo	osed-Regulations
Hearing on: 09/14/2023	regulations
Adoption by Agency on: 10/26/2023	
☐ Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	State funds affected
	Local funds affectedSubstantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	No fiscal note required
9 REASO	ON FOR ACTION
9A. What prompted this action? Check all that apply:	ON FOR ACTION
	☐ Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
Federal statute / cite:	☐ Petition for rule-making
☐ Federal regulation / cite:	Other:
9B. Explain:	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	rea where vessel entry is prohibited in a small cove east of the South
Point Boating Access Area on Lake Wylie in Gaston County.	
10 Deleverable of Consideration Comic Delever	11 Cionatura of Agona, Hoody on Dala making Coondinator.
10. Rulemaking Coordinator: Carrie Ruhlman Phone: 919-707-0011	11. Signature of Agency Head* or Rule-making Coordinator:
E-Mail: carrie.ruhlman@ncwildlife.org	0
	Carrie A. Ruhlman
Additional agency contact, if any: Melva Bonner	*If this function has been delegated (reassigned) pursuant to
Phone: 919-707-0014	G.S. 143B-10(a), submit a copy of the delegation with this form.
E-Mail: melva.bonner@ncwildlife.org	T IN C ' D II
	Typed Name: Carrie Ruhlman Title: Rulemaking Coordinator
	Title. Rulellaking Coolumator
RRC AND	OAH USE ONLY
Action taken:	VAIMA
RRC extended period of review:	
RRC determined substantial changes:	
☐ Withdrawn by agency☐ Subject to Legislative Review	
Other:	



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal):		
18 NCAC 07B .0201 - U.S. CURRENCY		
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:	State funds affected	
Consultation not required. Cite authority:	⊠ State funds affected Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law; S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall	an B. Ween	
Phone: (919) 814-5310 E-Mail:	ann 12. Wall	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	OAH USE ONLY	
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

Attachment to Form 0400 for Permanent Rule: Question 9(b). Explain:

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

In order to achieve these goals, the Secretary promulgated two Advance Notices of Proposed Rulemaking (ANPRs). The ANPRs were published on the Department's website and emailed to stakeholders and others. The ANPRs requested comments on a number of issues that are unclear in RENA. The first ANPR focused primarily on issues related to the eNotary and the

remote electronic notarial act. The second ANPR focused on issues related to the technology notaries will use to perform remote electronic notarial acts.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

The Department has to date expended in excess of 5000 hours in connection with the rulemaking efforts. While recognizing the need for positions to conduct the rulemaking, the General Assembly has not appropriated funds to support the rulemaking effort mandated by statute in 2022, despite repeated Departmental requests. Departmental allocation of resources to the mandatory rulemaking has come at the expense of performing other Departmental duties.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0202 - ONLINE FEE PAYMENT		
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? Yes. Cite authority: No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 ✓ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ✓ No 	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) 	
	□ Approved by OSBM □ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making ☐ Other:	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: "If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator	
Company of the Compan	O OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

Attachment to Form 0400 for Permanent Rule: Question 9(b). Explain:

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

In order to achieve these goals, the Secretary promulgated two Advance Notices of Proposed Rulemaking (ANPRs). The ANPRs were published on the Department's website and emailed to stakeholders and others. The ANPRs requested comments on a number of issues that are unclear in RENA. The first ANPR focused primarily on issues related to the eNotary and the

remote electronic notarial act. The second ANPR focused on issues related to the technology notaries will use to perform remote electronic notarial acts.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

The Department has to date expended in excess of 5000 hours in connection with the rulemaking efforts. While recognizing the need for positions to conduct the rulemaking, the General Assembly has not appropriated funds to support the rulemaking effort mandated by statute in 2022, despite repeated Departmental requests. Departmental allocation of resources to the mandatory rulemaking has come at the expense of performing other Departmental duties.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0203 - FEES PAID IN PERSON		
3. Action: ADOPTION AMENDMENT REPEAL READOPTION REPEAL THROUGH READOPTION		
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 □ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310	11. Signature of Agency Head* or Rule-making Coordinator:	
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

Attachment to Form 0400 for Permanent Rule: Ouestion 9(b). Explain:

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

In order to achieve these goals, the Secretary promulgated two Advance Notices of Proposed Rulemaking (ANPRs). The ANPRs were published on the Department's website and emailed to stakeholders and others. The ANPRs requested comments on a number of issues that are unclear in RENA. The first ANPR focused primarily on issues related to the eNotary and the

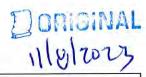
remote electronic notarial act. The second ANPR focused on issues related to the technology notaries will use to perform remote electronic notarial acts.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

The Department has to date expended in excess of 5000 hours in connection with the rulemaking efforts. While recognizing the need for positions to conduct the rulemaking, the General Assembly has not appropriated funds to support the rulemaking effort mandated by statute in 2022, despite repeated Departmental requests. Departmental allocation of resources to the mandatory rulemaking has come at the expense of performing other Departmental duties.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0204 - FEES PAID BY USPS OR BY DELIVERY SERVICE		
3. Action: ☒ ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority: ☑ No	☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 ∑ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ∑ Approved by OSBM ☐ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ☑ Legislation enacted by the General Assembly Cite Session Law; S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310	ann B. Ween	
E-Mail:	an 12. War	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	Typed Name: Ann B. Wall	
Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken: RRC extended period of review:		
RRC determined substantial changes: Withdrawn by agency		
Subject to Legislative Review		
Other:		

Attachment to Form 0400 for Permanent Rule: Question 9(b). Explain:

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

In order to achieve these goals, the Secretary promulgated two Advance Notices of Proposed Rulemaking (ANPRs). The ANPRs were published on the Department's website and emailed to stakeholders and others. The ANPRs requested comments on a number of issues that are unclear in RENA. The first ANPR focused primarily on issues related to the eNotary and the

remote electronic notarial act. The second ANPR focused on issues related to the technology notaries will use to perform remote electronic notarial acts.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

The Department has to date expended in excess of 5000 hours in connection with the rulemaking efforts. While recognizing the need for positions to conduct the rulemaking, the General Assembly has not appropriated funds to support the rulemaking effort mandated by statute in 2022, despite repeated Departmental requests. Departmental allocation of resources to the mandatory rulemaking has come at the expense of performing other Departmental duties.

9	6		JINAL
	11	18	wis

1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0205 - FEE FOR DISHONORED PAYMENT		
3. Action:	Contract of the Contract of th	
☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023		
Link to Agency notice: https://sosnc.gov/divisions/general_co	punsel/open rulemaking phase one rulemaking	
Hearing on: September 19, 2023	Sansonopon_Talemaking_phase_one_talemakin.g	
Adoption by Agency on: November 8, 2023		
Notice not required under G.S.:		
Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:	⊠ State funds affected	
Consultation not required. Cite authority:	Local funds affected	
Name of the second seco	Substantial economic impact (≥\$1,000,000)	
⊠ No	□ Substantial economic impact (=52,955,955) □ Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310	11. Signature of Agency Head* or Rule-making Coordinator:	
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore		
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken:		
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0206 - FILING NOT PROCESSED IF PAYMEN	T DISHONORED
3. Action: ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM □ No fiscal note required
9A. What prompted this action? Check all that apply: Agency	 ∠ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: "If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator O OAH USE ONLY
Action taken:	OAH USE UMLI
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0207 - DEPARTMENT ACTIONS UPON DISHO	DNORED PAYMENT	
3. Action: X ADOPTION AMENDMENT REPEAL 4. Rule exempt from RRC review? Yes. Cite authority:	READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review? Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on: 		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM 	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: (919) 814-5310 E-Mail:	ann B. Ween	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

DOR	10	INAL
11	18	low

1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0208 - NOTICE TO FILER OF DISHONORED F	PAYMENT	
3. Action: X ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310 E-Mail: Ann B. Wall Ann B. Wall		
E-Mail: awall@sosnc.gov *If this function has been delegated (reassigned) pursuant to		
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	Ann D. Wall	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator O OAH USE ONLY	
Action taken:	O OAH USE ONLI	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0301 - FORM USE REQUIRED		
3. Action: ☒ ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ✓ No 	 ☐ This Rule was part of a combined analysis. ☑ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☑ Approved by OSBM 	
	☐ No fiscal note required	
9. REASO 9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: ———————————————————————————————————	
	O OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

DORIGINAL

1. Rule-Making Agency: N.C. Department of the Secretary of	f State
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0302 - MODE OF FILING	
3. Action: X ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on: Consultation not required. Cite authority: No	
	 ∠ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 □ Petition for rule-making □ Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator
	O OAH USE ONLY
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0303 - PAPER FILINGS PERMITTED		
3. Action: X ADOPTION AMENDMENT REPEAL 4. Rule exempt from RRC review? Yes. Cite authority: No	READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review? Yes. Cite authority: No	
AE OXC	25 110	
6. Notice for Proposed Rule: Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM □ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ☑ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: "If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal):		
18 NCAC 07B .0304 - INAPPLICABLE QUESTIONS 3. Action:		
S. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:	⊠ State funds affected	
Consultation not required. Cite authority:	Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000)	
7.22		
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite; 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310 E-Mail: Ann B. Wall Ann B. Wall		
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any: Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator O OAH USE ONLY	
Action taken:	O OAR USE ONL!	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries.

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal:
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0305 - RESPONSE TO QUESTIONS AND REC	QUESTS FOR INFORMATION	
3. Action: X ADOPTION AMENDMENT REPEAL 4. Rule exempt from RRC review?	READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority: ⊠ No	☐ Yes. Cite authority: ☑ No	
6. Notice for Proposed Rule:		
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_complexity Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on: 		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM	
	No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law; S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: (919) 814-5310	ann B. Ween	
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary o	f State
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0306 - ATTACHMENTS	
3. Action:	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	 ☐ This Rule was part of a combined analysis. ☐ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000)
⊠ No	□ Approved by OSBM □ No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310	11. Signature of Agency Head* or Rule-making Coordinator:
E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
Action taken:	D OAH USE ONLY
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

DG MAL

1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0307 - NOTICE OF ATTACHMENT		
3. Action:		
★ ADOPTION AMENDMENT REPEAL 4. Rule exempt from RRC review?	READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes, Cite authority:	
⊠ No	⊠ No	
	2.10	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023		
Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking		
Hearing on: September 19, 2023		
Adoption by Agency on: November 8, 2023		
☐ Notice not required under G.S.:		
Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:	⊠ State funds affected	
Consultation not required. Cite authority:	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000)	
NO	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall	ann B. Ween	
Phone: (919) 814-5310	(ma /2. Nach	
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore		
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
RRC extended period of review; RRC determined substantial changes; Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0308 - SIGNATURE FOR ENTITY	
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	☐ Yes. Cite authority:
⊠ No	⊠ No
5.3 (20)	
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 □ Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	State funds affected
	☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000)
⊠ No	✓ Approved by OSBM
	No fiscal note required
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	
Phone: (919) 814-5310	ann B. Ween
E-Mail:	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Additional agency contact, if any: Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken:	
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State	
2. Rule citation & name (name not required for repeal):		
18 NCAC 07B .0309 - FORM PREPARER SIGNATURE REQU	IIRED	
3. Action: ☑ ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM	
	 ∠ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310	ann B. Ween	
E-Mail:	ann 12. War	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any: Ann Elmore		
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator OOAH USE ONLY	
Action taken:	J OAH USE ONE!	
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0310 - INCOMPLETE FILINGS		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☒ No 	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM 	
9A. What prompted this action? Check all that apply: Agency	ON FOR ACTION	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: "If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal):		
18 NCAC 07B .0311 - REJECTION OF INCOMPLETE FILINGS		
3. Action: ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
☒ Notice Required		
Notice of Text published on: August 15, 2023		
Link to Agency notice: https://sosnc.gov/divisions/general_co	ounsel/open_rulemaking_phase_one_rulemaking	
Hearing on: September 19, 2023		
Adoption by Agency on: November 8, 2023 Notice not required under G.S.:		
Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
7. Kule establishes of increases a ree. (See G.S. 12-3.1)		
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000)	
⋈ 100	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See altached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law; S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall	an B. Ween	
Phone: (919) 814-5310	(mn/2. Nac	
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	11	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken:		
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0312 - FILING DATE OF DOCUMENT		
3. Action:		
■ ADOPTION		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	⊠ State funds affected	
	☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000)	
⊠ No	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ☑ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall N (010) 014 5210		
Phone: (919) 814-5310 E-Mail: Ann B. Wall Ann B. Wall Ann B. Wall		
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	Ann B. Wall	
Phone: (919) 814-5521	Typed Name: Ann B. Wall Title: General Coursel and Bulgmaking Coordinates	
E-Mail: aelmore@sosnc.gov Title: General Counsel and Rulemaking Coordinator RRC AND OAH USE ONLY		
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0401 - GENERAL		
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall	
E-Mail; aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. I50B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0402 - CONTACT INFORMATION		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See altached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310 E-Mail:	an B. Ween	
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G,S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

ORIGINAL PRINTERS OF THE PRINT

1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0403 - CERTIFICATE OF APPOINTMENT FORM		
3. Action: ADOPTION AMENDMENT REPEAL READOPTION REPEAL THROUGH READOPTION		
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	 ☐ This Rule was part of a combined analysis. ☑ State funds affected ☐ Local funds affected ☐ College (College) 	
No No	 Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:	
awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC ANI	O OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency		
Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0404 - ELECTRONIC NOTARY PUBLIC REGISTRATION FORM		
3. Action:	TRATION FORM	
□ ADOPTION □ AMENDMENT □ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
Yes Agency submitted request for consultation on:		
Consultation not required. Cite authority:	State funds affected	
consumuon not required. Che manoray.	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000) Approved by OSBM	
	1 to fiscal flote required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ∠ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall	3	
Phone: (919) 814-5310	ann B. Ween	
E-Mail:		
awall@sosnc.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	G.S. 1450-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	OAH USE ONLY	
Action taken:		
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0405 FORM NOTIFYING DEPARTMENT OF SELECTION OF TECHNOLOGY PROVIDERS BY ELECTRONIC NOTA		
3. Action: ADOPTION		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:	1000	
■ Notice Required		
Notice of Text published on: August 15, 2023		
Link to Agency notice: https://sosnc.gov/divisions/general_co	unsel/open_rulemaking_phase_one_rulemaking	
Hearing on: September 19, 2023		
Adoption by Agency on: November 8, 2023		
☐ Notice not required under G.S.:		
Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	☒ State funds affected	
	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM	
	No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 □ Petition for rule-making □ Other:	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall		
Phone: (919) 814-5310	an B. Ween	
E-Mail:		
awall@sosnc.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	G.S. 145B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
	Title: General Counsel and Rulemaking Coordinator	
	OAH USE ONLY	
Action taken:		
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0406 - NOTICE TO DEPARTMENT OF CHANGE BY ELECTRONIC NOTARY IN TECHNOLOGY PROVIDER		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? Yes. Cite authority: No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
Action taken:	OAH USE ONLY	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0101 - SCOPE	
3. Action: ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule:	
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_collection Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on: 	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
Action taken:	D OAH USE ONLY
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

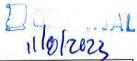
- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	f State	
2. Rule citation & name (name not required for repeal):		
18 NCAC 07F .0102 - DEFINITIONS		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
ADOPTION AMENDMENT REPEAL	5. Rule automatically subject to legislative review?	
4. Rule exempt from RRC review?	Yes. Cite authority:	
Yes. Cite authority:		
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
☒ Notice Required		
Notice Required Notice of Text published on: August 15, 2023		
Link to Agency notice: https://sosnc.gov/divisions/general_c	counsel/open_rulemaking_phase_one_rulemaking	
Hearing on: September 19, 2023		
Adoption by Agency on: November 8, 2023		
☐ Notice not required under G.S.:		
Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
Yes		
Agency submitted request for consultation on: Consultation not required. Cite authority:		
Consultation not required. Cite authority.	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000)	
Z 110	□ Approved by OSBM	
	☐ No fiscal note required	
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310	ann B. Ween	
Phone: (919) 814-5310 E-Mail:	an 12. War	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore		
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	D OAH USE ONLY	
Action taken:		
RRC extended period of review:		
RRC determined substantial changes:		
Withdrawn by agency		
Subject to Legislative Review		
Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

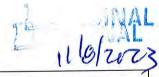
- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State
2. Rule citation & name (name not required for repeal):	IO DEMOTE EL COTDONIC NOTADIAL ACTS
18 NCAC 07F .0103 - ELECTRONIC NOTARIES PERFORMIN	G REMOTE ELECTRONIC NOTARIAL ACTS
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	☐ Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	· ·
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023	ounsel/open_rulemaking_phase_one_rulemaking
☐ Notice not required under G.S.:	
Adoption by Agency on:	8. Fiscal impact. Check all that apply.
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	Local funds affected
57	Substantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	☐ No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	ann B. Ween
Phone: (919) 814-5310	Man 12. Nach
E-Mail:	*If this function has been delegated (reassigned) pursuant to
awall@sosnc.gov Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	D OAH USE ONLY
Action taken:	
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0201 - VALID COMMISSION	
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Phone: (919) 814-5310	an B. Waer
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken:	
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	f State
2. Rule citation & name (name not required for repeal):	FI FOTDONIC NOTADIES DUDI IC
18 NCAC 07F .0301 - APPROVED COURSE OF STUDY FOR	ELECTRONIC NOTARIES PUBLIC
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	☐ Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on: 	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
Yes Agency submitted request for consultation on:	
Consultation not required. Cite authority:	
	Substantial economic impact (≥\$1,000,000)
⊠ No	☒ Approved by OSBM
	☐ No fiscal note required
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other:
And D. Well	11. Signature of Agency Head* or Rule-making Coordinator:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall	11. Signature of Agency from of Rene-marking coordinators
Ann B. Wall Phone: (919) 814-5310 E-Mail: Ann B. Wall Ann B. Wall Ann B. Wall	
E-Mail:	WWW 1 & . V
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Additional agency contact, if any: Ann Elmore	
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	D OAH USE ONLY
Action taken:	
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State	
2. Rule citation & name (name not required for repeal):	
18 NCAC 07F .0302 - COURSES TO BE TAUGHT BY CERTIF	-IED NOTARY INSTRUCTORS
3. Action: ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	☐ Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	Local funds affected
N/A	☐ Substantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	☐ No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	0 0 1.
Ann B. Wall Phone: (919) 814-5310 E-Mail: Ann B. Wall Ann B. Wall Ann B. Wall	
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	Ang R. Wall
Phone: (919) 814-5521	Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator
E-Mail: aelmore@sosnc.gov	D OAH USE ONLY
Action taken:	2-0:22-0:07-0:22-
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

1. Rule-Making Agency: N.C. Department of the Secretary of	of State
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0303 - ELECTRONIC NOTARY COURSE	
3. Action:	READOPTION REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_of Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on: 	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	★ State funds affected Local funds affected
	Substantial economic impact (≥\$1,000,000)
⊠ No	✓ Approved by OSBM
	No fiscal note required
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	
Phone: (919) 814-5310	an B. Wall
E-Mail:	*If this function has been delegated (reassigned) pursuant to
awall@sosnc.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.
Additional agency contact, if any: Ann Elmore	
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	ND OAH USE ONLY
Action taken:	
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary o	of State
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0304 - STUDENT IDENTITY	
3. Action:	READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review? Yes. Cite authority: No
6. Notice for Proposed Rule: Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	counsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1) ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☑ No	8. Fiscal impact. Check all that apply. ☐ This Rule was part of a combined analysis. ☐ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM ☐ No fiscal note required
9. REAS 9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	SON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator ND OAH USE ONLY
Action taken:	AD OAH USE ONE!
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal):		
18 NCAC 07F .0305 - PASSING SCORE ON EXAMINATION		
3. Action: ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority: ☐ Yes. Cite authority:		
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required		
Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking		
Hearing on: September 19, 2023	ourise/open_ruicinating_prace_one_talemating	
Adoption by Agency on: November 8, 2023		
Notice not required under G.S.:		
Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
☐ Yes	This Rule was part of a combined unaryons.	
Agency submitted request for consultation on:	State funds affected	
Consultation not required. Cite authority:	☐ Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000)	
⊠ 140	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall		
Phone: (919) 814-5310	Man 1/2 Macco	
E-Mail:		
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	Typed Name: Ann B. Wall	
Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	D OAH USE ONLY	
Action taken:		
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0401 - SUBMISSSION	
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	READOPTION REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	counsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
 ✓ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ✓ No 	 ☐ This Rule was part of a combined analysis. ☑ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000)
	 ☒ Approved by OSBM ☒ No fiscal note required
9. REAS 9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	SON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator: Man B. Well *If this function has been delegated (reassigned) pursuant to
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail; aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator D OAH USE ONLY
Action taken:	B OAIT USE ONE!
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review? Yes. Cite authority:	
5. Rule automatically subject to legislative review? Yes. Cite authority:	
Yes. Cite authority:	
⊠ No	
nsel/open_rulemaking_phase_one_rulemaking	
8. Fiscal impact. Check all that apply.	
 This Rule was part of a combined analysis. State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) 	
Approved by OSBM No fiscal note required	
EXECUTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
1. Signature of Agency Head* or Rule-making Coordinator: The Coordinator: If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall	
itle: General Counsel and Rulemaking Coordinator	
E-Mail: aelmore@sosnc.gov Title: General Counsel and Rulemaking Coordinator RRC AND OAH USE ONLY	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

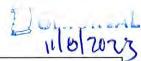
- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0403 - NOTICE TO DEPARTMENT OF CHANGE	GES	
3. Action:		
X ADOPTION ☐ AMENDMENT ☐ REPEAL 4. Rule exempt from RRC review?	READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review?	
Yes. Cite authority:		
	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
Yes	This state was part of a company and a many see	
Agency submitted request for consultation on: Consultation not required. Cite authority:	■ State funds affected	
Consultation not required. Che authority:	☐ Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	□ Legislation enacted by the General Assembly □ Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 □ Petition for rule-making □ Other:	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall		
Phone: (919) 814-5310	ann B. Ween	
E-Mail:		
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any: Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review		
Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0404 - FAILURE TO SUBMIT APPLICATION IN	N TIME
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No
6. Notice for Proposed Rule:	
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on: 	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	 ☐ This Rule was part of a combined analysis. ☑ State funds affected ☐ Local funds affected
⊠ No	 Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required
9. REAS 9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any:	11. Signature of Agency Head* or Rule-making Coordinator: ———————————————————————————————————
Ann Elmore	Typed Name: Ann B. Wall
Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	f State	
2. Rule citation & name (name not required for repeal):		
18 NCAC 07F .0503 - NOTICE OF DEPARTMENT'S ACTIONS	S FOR QUALIFIED ELECTRONIC NOTARY APPLICANTS	
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ N ₀	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
Yes		
Agency submitted request for consultation on:	■ State funds affected	
Consultation not required. Cite authority:	Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall	0 0 1	
Phone: (919) 814-5310	an B. Wan	
E-Mail:	*If this function has been delegated (reassigned) pursuant to	
awall@sosnc.gov	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Additional agency contact, if any: Ann Elmore	G.S. 145D-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken:		
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	of State
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0505	
3. Action:	
☐ ADOPTION ☐ AMENDMENT ☒ REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	☐ Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 □ Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking:
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
☐ Yes	This real was part of a combined analysis
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	☐ Local funds affected
⊠ No	☐ Substantial economic impact (≥\$1,000,000)
⊠ N0	□ Approved by OSBM
	☐ No fiscal note required
	 ✓ Legislation enacted by the General Assembly Cite Session Law; S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	0 0 1./
Phone: (919) 814-5310	ann B. Waen
E-Mail:	
awall@sosnc.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	G.S. 143D-10(a), Submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	D OAH USE ONLY
Action taken:	
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0506		
3. Action:		
ADOPTION AMENDMENT REPEAL	READOPTION REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? Yes. Cite authority:	5. Rule automatically subject to legislative review?	
⊠ No	☐ Yes. Cite authority: No	
	△ N0	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	✓ State funds affected ✓ Local funds affected	
N/ N/	Substantial economic impact (≥\$1,000,000)	
⊠ No	✓ Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310	1 , 2 1.	
E-Mail:	an B. Ween	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	OAH USE ONLY	
Action taken:		
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

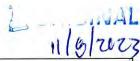
- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	of State
2. Rule citation & name (name not required for repeal):	
18 NCAC 07F .0507	
3. Action:	And the first than the same of
☐ ADOPTION ☐ AMENDMENT ☒ REPEAL	READOPTION REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	☐ Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_o Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	Local funds affected
	Substantial economic impact (≥\$1,000,000)
⊠ No	✓ Approved by OSBM
	☐ No fiscal note required
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	
Phone: (919) 814-5310	ann B. Ween
E-Mail:	ann 12. Wat
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	Ann D. Wall
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	D OAH USE ONLY
Action taken:	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0508	
3. Action:	
□ ADOPTION □ AMENDMENT ☒ REPEAL	READOPTION REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
 ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☑ No 	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM
	No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall Phone: (919) 814-5310 E-Mail: Ann B. Wall Ann B. Wall Ann B. Wall	
E-Mail:	wan I d. Www.
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	O OAH USE ONLY
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

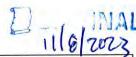
- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	f State
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0509 - REGISTRATION EFFECTIVE DATE	
3. Action: X ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_ce Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ✓ No 	 ☐ This Rule was part of a combined analysis. ☐ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM
	No fiscal note required
9. REASO 9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310	11. Signature of Agency Head* or Rule-making Coordinator:
Prone: (919) 614-5510 E-Mail:	ann B. Wall
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
Action taken:	D OAH USE ONLY
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0512 - CONFIRMATION OF ELECTRONIC NO	TARY STATUS	
3. Action: ☒ ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: № No 	 ☐ This Rule was part of a combined analysis. ☑ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☒ Approved by OSBM 	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: "If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	of State
2. Rule citation & name (name not required for repeal):	
18 NCAC 07F .0513 - PERFORMING ELECTRONIC AND RE	MOTE ELECTRONIC NOTARIAL ACTS
3. Action:	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on: 	counsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
Yes Agency submitted request for consultation on:	
Consultation not required. Cite authority:	State funds affected
consultation not required. Etc authority.	Local funds affected
⊠ No	Substantial economic impact (≥\$1,000,000)
	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	SON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	0 1./
Phone: (919) 814-5310 E-Mail:	an B. Ween
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	D OAH USE ONLY
Action taken:	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal):		
18 NCAC 07F .0601 - NOTICE TO DEPARTMENT OF TECHNOLOGY PROVIDER		
3. Action:		
ADOPTION ☐ AMENDMENT ☐ REPEAL	READOPTION REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	✓ State funds affected ✓ Local funds affected	
	Substantial economic impact (≥\$1,000,000)	
⊠ No	■ Approved by OSBM	
	No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law; S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall	0 11	
Phone: (919) 814-5310 E-Mail:	ann B. Ween	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	Ann D. Wall	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator OAH USE ONLY	
Action taken:	OAH USE ONL1	
Action taxen.		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0602 - APPROVED TECHNOLOGY PROVIDER		
3. Action:		
■ ADOPTION		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority: ☐ No	☐ Yes. Cite authority: ☑ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000)	
Z 110	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall		
Phone: (919) 814-5310	an B. Ween	
E-Mail;	*If this function has been delegated (reassigned) pursuant to	
awall@sosnc.gov Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore		
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	D OAH USE ONLY	
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	f State
2. Rule citation & name (name not required for repeal):	
18 NCAC 07F .0701 - UNIQUE SIGNATURE	
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION
■ ADOPTION ■ AMENDMENT ■ REPEAL 4. Rule exempt from RRC review?	READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review?
[1] [1] [2] [3] [4] [4] [4] [4] [4] [4] [4] [4] [4] [4	Yes, Cite authority:
Yes. Cite authority:	☐ Tes. Cite authorny.
⊠ No	△ N0
6. Notice for Proposed Rule:	
■ Notice Required	
Notice of Text published on: August 15, 2023	
Link to Agency notice: https://sosnc.gov/divisions/general_co	ounsel/open_rulemaking_phase_one_rulemaking
Hearing on: September 19, 2023	
Adoption by Agency on: November 8, 2023	
☐ Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	V Ctata formula affected
Consultation not required. Cite authority:	State funds affected Local funds affected
	☐ Substantial economic impact (≥\$1,000,000)
No No	Approved by OSBM
	☐ No fiscal note required
4 9910	
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION
	V I
✓ Agency ✓ Legislation enacted by the General Assembly Court order / cite: Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124	
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain:	
See attached	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	
Phone: (919) 814-5310	ann B. Ween
E-Mail:	and I a. Was
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	Ann B Wall
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator D OAH USE ONLY
	J OAH USE ONL1
Action taken:	
RRC extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	
Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary	of State
2. Rule citation & name (name not required for repeal):	
18 NCAC 07F .0702 - SOLE CONTROL	
3. Action:	The same of the sa
ADOPTION AMENDMENT REPEAT	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_ Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	State family offertal
Consultation not required. Cite authority:	
	Substantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	☐ No fiscal note required
	Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	
Phone: (919) 814-5310	an B. Ween
E-Mail:	OV .
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any: Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	ND OAH USE ONLY
Action taken:	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency	
Subject to Legislative Review	
Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary o	of State
2. Rule citation & name (name not required for repeal):	, 0.0.10
18 NCAC 07F .0703	
3. Action:	DEADORTION DEBEAT THROUGH BEADORTION
ADOPTION AMENDMENT REPEAL 4. Rule exempt from RRC review?	READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review?
[2] [2] [2] [4] [4] [4] [4] [4] [4] [4] [4] [4] [4	에 마스프라마 마다 그 아니는 어느 가지 않는데 아니는데 아니는데 아니는데 아니는데 아니는데 아니는데 아니는데 아니
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
☐ Yes	I mis Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	Local funds affected
⊠ No	☐ Substantial economic impact (≥\$1,000,000)
△ 140	■ Approved by OSBM
	☐ No fiscal note required
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	0 1./
Phone: (919) 814-5310 E-Mail:	Chan B. Wall
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
RRC ANI	O OAH USE ONLY
Action taken:	
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0704 - ATTRIBUTES OF ELECTRONIC SIGNA	TURE
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☒ No	 □ This Rule was part of a combined analysis. ☑ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000)
\times 140	 ☑ Approved by OSBM ☐ No fiscal note required
9A. What prompted this action? Check all that apply: Agency	ON FOR ACTION
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310	11. Signature of Agency Head* or Rule-making Coordinator:
E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
RRC AND Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	O OAH USE ONLY

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0705 - APPEARANCE OF ELECTRONIC SIGNA	ATURE
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 ⊠ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) ဩ Approved by OSBM □ No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: "If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator
	O OAH USE ONLY
Action taken: RRC extended period of review: RRC determined substantial changes:. Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0706 - SIGNATURE COMPLIANCE		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☑ No 	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM □ No fiscal note required 	
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310	11. Signature of Agency Head* or Rule-making Coordinator:	
E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	of State
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0707 - SIGNATURE REVIEW BEFORE USE	
3. Action: X ADOPTION ☐ AMENDMENT ☐ REPEAL	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	counsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	 ☐ This Rule was part of a combined analysis. ☑ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000)
⊠ No	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	SON FOR ACTION Legislation enacted by the General Assembly Cite Session Law; S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator D OAH USE ONLY
Action taken:	D GAM COD C. I.S.
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary o	f State
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0708 - AFFIXING ELECTRONIC SIGNATURE	
3. Action:	
ADOPTION □ AMENDMENT □ REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
☑ Notice Required	
Notice of Text published on: August 15, 2023	
Link to Agency notice: https://sosnc.gov/divisions/general_c	ounsel/open_rulemaking_phase_one_rulemaking
Hearing on: September 19, 2023	
Adoption by Agency on: November 8, 2023	
Notice not required under G.S.:	
Adoption by Agency on: 7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
A rate establishes of mercuses a rect (see sist 12 str)	
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	☒ State funds affected
Consultation not required. Cite authority:	Local funds affected
⊠ N.	☐ Substantial economic impact (≥\$1,000,000)
⊠ No	☑ Approved by OSBM
	☐ No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	0 0 1./
Phone: (919) 814-5310 E-Mail: Ann B. Wall Ann B. Wall	
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken:	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary o	f State
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0709 - REVIEW AFTER AFFIXING ELECTRON	NIC SIGNATURE
3. Action: ADOPTION	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority: ☑ No	☐ Yes. Cite authority: ☑ No
6. Notice for Proposed Rule:	
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on: 	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
 ✓ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ✓ No 	
	 ✓ Legislation enacted by the General Assembly Cite Session Law; S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	
Phone: (919) 814-5310	an B. Ween
B-Man.	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any: Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken:	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	of State
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0801 - UNIQUE SEAL	
3. Action:	
■ ADOPTION	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	☐ Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on: 	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
Yes Agency submitted request for consultation on:	
Consultation not required. Cite authority:	State funds affected
estimation in trequired ene authority.	Local funds affected
⊠ No	☐ Substantial economic impact (≥\$1,000,000)
	□ No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	
Phone: (919) 814-5310	an B. Ween
E-Mail:	00
awall@sosnc.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	G.S. 143b-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	O OAH USE ONLY
Action taken:	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries.

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0802 - SOLE CONTROL		
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
6. Notice for Proposed Rule: Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 □ This Rule was part of a combined analysis. ☑ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) ☑ Approved by OSBM □ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: "If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator	
	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0803		
3. Action:		
□ ADOPTION □ AMENDMENT ☒ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
Yes		
Agency submitted request for consultation on: Consultation not required. Cite authority:	State funds affected	
Consultation not required. Cite authority.	Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall		
Phone: (919) 814-5310	ann B. Ween	
awall@sosnc.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	OAH USE ONLY	
Action taken:		
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0804 - ATTRIBUTES OF ELECTRONIC SEAL		
3. Action:		
☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
□ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	⊠ State funds affected Local funds affected	
	☐ Substantial economic impact (≥\$1,000,000)	
⊠ No	Approved by OSBM	
	No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law; S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall	ann B. Ween	
Phone: (919) 814-5310 E-Mail:	(mn/2. Nac	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	Ann D. Well	
	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator OAH USE ONLY	
Action taken:	OAH OOL ONL!	
Agrana attation		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

DORIGINAL

1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0805 - APPEARANCE OF ELECTRONIC NOTA	ARY SEAL	
3. Action: ADOPTION AMENDMENT REPEAL READOPTION REPEAL THROUGH READOPTION		
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes Agency submitted request for consultation on:	☐ This Rule was part of a combined analysis.	
Consultation not required. Cite authority:	 ✓ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ✓ Approved by OSBM ☐ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:	
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail; aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator O OAH USE ONLY	
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0806		
3. Action: ☐ ADOPTION ☐ AMENDMENT ☒ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: (919) 814-5310 E-Mail:	ann B. Ween	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND Action taken:	OAH USE ONLY	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries.

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- I. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State	
2. Rule citation & name (name not required for repeal):		
18 NCAC 07F .0807 - CONTENTS OF ELECTRONIC NOTARY	'SEAL	
3. Action: ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
	5.17	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023		
Link to Agency notice: https://sosnc.gov/divisions/general_co	ounsel/open rulemaking phase one rulemaking	
Hearing on: September 19, 2023	ansarapan_isiannang_pnase_ana_isiannang	
Adoption by Agency on: November 8, 2023		
☐ Notice not required under G.S.:		
Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	Local funds affected	
NZ N	Substantial economic impact (≥\$1,000,000)	
⊠ No	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B, Wall		
Phone: (919) 814-5310 E-Mail:	an B. Ween	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	Ann D. Well	
	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator OAH USE ONLY	
Action taken:	OAH COL UNLI	
Tellon timen		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0808 - ELECTRONIC NOTARY SEALS ARE PRIVATE PROPERTY		
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) 	
No No	Substantial economic impact (≥51,000,000) Approved by OSBM No fiscal note required	
9. REASO 9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:	
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY Action taken:		
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0809 - SEAL COMPLIANCE		
3. Action:		
■ ADOPTION		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:	⊠ State funds affected	
Consultation not required. Cite authority:		
⊠ No	☐ Substantial economic impact (≥\$1,000,000)	
	☑ Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310	an B. Ween	
E-Mail:	ann 12. War	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any: Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	D OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review		
Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	1. Rule-Making Agency: N.C. Department of the Secretary of State	
2. Rule citation & name (name not required for repeal):		
18 NCAC 07F .0810 - SEAL LIMITATION		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
⊠ Notice Required		
Notice of Text published on: August 15, 2023		
Link to Agency notice: https://sosnc.gov/divisions/general_co	punsel/open rulemaking phase one rulemaking	
Hearing on: September 19, 2023		
Adoption by Agency on: November 8, 2023		
Notice not required under G.S.:		
Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:	⊠ State funds affected	
Consultation not required. Cite authority:	✓ State funds affected ✓ Local funds affected	
N/ N/	Substantial economic impact (≥\$1,000,000)	
⊠ No	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ∠ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall	0 01.	
Phone: (919) 814-5310	ann B. Ween	
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	A D-W-II	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY Action taken:		
ACTION TAXELL.		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0811 - SEAL REVIEW BEFORE USE		
3. Action: ☒ ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 ⊠ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) ဩ Approved by OSBM □ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: "If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0812 - AFFIXING ELECTRONIC SEAL		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	State funds affected □	
	☐ Local funds affected☐ Substantial economic impact (≥\$1,000,000)	
⊠ No	☐ Substantial economic impact (≥51,000,000) ☐ Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall	an B. Ween	
Phone: (919) 814-5310 E-Mail:	Jun 2. Nac	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	Ann P. Well	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator OAH USE ONLY	
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0813 REVIEW AFTER AFFIXING ELECTRONIC	SEAL	
3. Action:	JOENE	
■ ADOPTION	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:	State funds affected ■	
Consultation not required. Cite authority:	Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000)	
	□ Approved by OSBM □ No fiscal note required	
9. REASO 9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310	an B. Ween	
E-Mail:	ann 12. Wall	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any: Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
Action taken:	OAH USE ONLY	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0814 - COMMITMENT		
3. Action:		
X ADOPTION ☐ AMENDMENT ☐ REPEAL	READOPTION REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
☒ Notice Required		
Notice of Text published on: August 15, 2023		
Link to Agency notice: https://sosnc.gov/divisions/general_co	ounsel/open_rulemaking_phase_one_rulemaking	
Hearing on: September 19, 2023		
Adoption by Agency on: November 8, 2023 Notice not required under G.S.:		
Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
7. Rule establishes of increases a rec. (See G.S. 12-5.1)		
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000)	
△ 140	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ☑ Legislation enacted by the General Assembly Cite Session Law; S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall		
Phone: (919) 814-5310	ann B. Ween	
E-Mail:	*If this function has been delegated (reassigned) pursuant to	
awall@sosnc.gov Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore		
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0901 R- REREGISTRATION		
3. Action:		
☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:	6.6.5	
No. Co. Married, Feeder of the Section of the Secti		
Notice Required Notice of Text published on: August 15, 2023		
Link to Agency notice: https://sosnc.gov/divisions/general_co	ounsel/open_rulemaking_phase_one_rulemaking	
Hearing on: September 19, 2023		
Adoption by Agency on: November 8, 2023		
Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
7. Rule establishes of increases a rec. (See 3.3. 12-3.1)		
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000)	
Z 110	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall	0 01.	
Phone: (919) 814-5310	an B. Wan	
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore		
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
Action taken:	D OAH USE ONLY	
Action taken.		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0902 - TIMING OF REREGISTRATION		
3. Action: X ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 ⊠ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) ⊠ Approved by OSBM □ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator O OAH USE ONLY	
Action taken:		
 □ RRC extended period of review: □ RRC determined substantial changes: □ Withdrawn by agency □ Subject to Legislative Review □ Other: 		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0903 - FORM	
3. Action: X ADOPTION AMENDMENT REPEAL	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	 ☐ This Rule was part of a combined analysis. ☑ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000)
⊠ No	 ✓ Approved by OSBM ☐ No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	SON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310	11. Signature of Agency Head* or Rule-making Coordinator:
E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator ID OAH USE ONLY
Action taken:	D OAH USE ONL!
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0904 - EDUCATION		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? Yes. Cite authority: No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM □ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ∠ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any:	11. Signature of Agency Head* or Rule-making Coordinator: "If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore		
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .0905 - ELECTRONIC NOTARY REREGISTRATION OTHER THAN AT RECOMMISSIONING		
3. Action: X ADOPTION	READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review? Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority:		
Consultation not required. Cite authority:	Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310	ann B. Ween	
E-Mail:		
awall@sosnc.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore		
Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken:		
RRC extended period of review: RRC determined substantial changes:		
Withdrawn by agency		
Subject to Legislative Review		
Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State	
2. Rule citation & name (name not required for repeal):	
18 NCAC 07F .0906 - REGISTRATION	
3. Action:	D PROPERTY DEPENDENCH DE A DORTION
ADOPTION AMENDMENT REPEAL	READOPTION REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
■ Notice Required	
Notice of Text published on: August 15, 2023	
Link to Agency notice: https://sosnc.gov/divisions/general_c	ounsel/open_rulemaking_phase_one_rulemaking
Hearing on: September 19, 2023	
Adoption by Agency on: November 8, 2023	
Notice not required under G.S.:	
Adoption by Agency on:	8. Fiscal impact. Check all that apply.
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	⊠ State funds affected
Consultation not required. Cite authority:	Local funds affected
	Substantial economic impact (≥\$1,000,000)
⊠ No	■ Approved by OSBM
	☐ No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
⊠ Agency	☑ Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124
Federal statute / cite:	☐ Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain:	
See attached	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B, Wall	ann B. Ween
Phone: (919) 814-5310	Com 2. Nac
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken:	
RRC extended period of review:	
RRC extended period of review: RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	
Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .1001 - EMPLOYERS OF ELECTRONIC NOTA	ARIES	
3. Action: ADOPTION AMENDMENT REPEAL		
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 ☐ This Rule was part of a combined analysis. ☑ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☑ Approved by OSBM ☐ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310	11. Signature of Agency Head* or Rule-making Coordinator:	
E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .1002 - PROTECTING ACCESS		
3. Action: ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall		
Phone: (919) 814-5310 E-Mail:	ann B. Ween	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC ANI Action taken:	O OAH USE ONLY	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .1003 - RETENTION OF ELECTRONIC JOURNAL		
3. Action: ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 ☐ This Rule was part of a combined analysis. ☑ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☑ Approved by OSBM ☐ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310	11. Signature of Agency Head* or Rule-making Coordinator:	
E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary	of State
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .1004 - NOTARY CREDENTIAL SHARING FO	RBIDDEN
3. Action:	
□ AMENDMENT □ REPEAU	READOPTION REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	☐ Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_ Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	counsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	✓ State funds affected
	Local funds affected
⊠ No	☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM
	No fiscal note required
	SON FOR ACTION
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ☑ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	
Phone: (919) 814-5310	an B. Wan
E-Mail:	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any: Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	ID OAH USE ONLY
Action taken:	20.200 (A. 1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

DORIGINAL 11/8/2023

1. Rule-Making Agency: N.C. Department of the Secretary of	f State
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .1101 - PRESENCE REQUIREMENT FOR ELE	CTRONIC NOTARIZATION
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required
9. REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310	11. Signature of Agency Head* or Rule-making Coordinator:
E-Mail: awall@sosnc.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	D OAH USE ONLY
Action taken:	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .1102 - PRESENCE REQUIREMENT FOR REM	MOTE ELECTRONIC NOTARIZATION
3. Action:	io i L LLLo i Notive i i o i i i i i i i i i i i i i i i i
☐ ADOPTION ☒ AMENDMENT ☐ REPEAL	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	☐ Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	⊠ State funds affected
Committee Name of Contract Con	☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000)
⊠ No	✓ Approved by OSBM
	No fiscal note required
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	
Phone: (919) 814-5310	ann B. Waen
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any: Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken:	
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	f State
2. Rule citation & name (name not required for repeal):	
18 NCAC 07F .1103 - INDIVIDUAL PRINCIPAL SIGNATURES	FOR ELECTRONIC NOTARIAL ACT
3. Action: ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority: ⊠ No	☐ Yes. Cite authority: ☐ No
	△ 1N0
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
Yes Agency submitted request for consultation on:	
Consultation not required. Cite authority:	✓ State funds affected
	Local funds affected Substantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	No fiscal note required
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	
Phone: (919) 814-5310 E-Mail:	ann B. Ween
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	Ann P. Wall
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator O OAH USE ONLY
Action taken:	John John Jilla
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal):		
18 NCAC 07F .1104 - ADDITIONAL OBLIGATIONS		
3. Action: □ ADOPTION □ AMENDMENT □ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
ADOPTION AMENDMENT REPEAL 4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
[- Table - Angle - A	Yes. Cite authority:	
Yes. Cite authority:		
⊠ No ⊠ No		
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	State funds affected State funds affected	
	☐ Local funds affected☐ Substantial economic impact (≥\$1,000,000)	
⊠ No	☐ Substantial economic impact (≥51,000,000) ☐ Approved by OSBM	
	No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall	ann B. Ween	
Phone: (919) 814-5310	an 12. Nac	
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore		
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .1105 - NO ELECTRONIC NOTARIZATION OF	INK SIGNATURE	
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:	⊠ State funds affected	
Consultation not required. Cite authority:	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000)	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: (919) 814-5310	ann B. Ween	
E-Mail:	*If this function has been delegated (reassigned) pursuant to	
awall@sosnc.gov Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore		
Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	f State
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .1106 - NOTICE OF CHANGES	
3. Action: X ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_collearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 ☐ This Rule was part of a combined analysis. ☑ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☑ Approved by OSBM ☐ No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310	11. Signature of Agency Head* or Rule-making Coordinator:
E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
RRC AND OAH USE ONLY Action taken:	
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .1107 TECHNOLOGICAL ISSUE AS REASON TO HALT ELECTRONIC OR REMOTE ELECTRONIC NOTARIAL ACT		
3. Action: ADOPTION		
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ∠ Legislation enacted by the General Assembly Cite Session Law; S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310	11. Signature of Agency Head* or Rule-making Coordinator:	
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, l, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .1108 - RESOLUTION OF TECHNOLOGICAL ISSUES		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
IX ADOPTION	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority: ☐ No	Yes. Cite authority:	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 \infty \text{State funds affected} \text{Local funds affected} \text{Substantial economic impact (≥\$1,000,000)} \text{Approved by OSBM} 	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law; S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521	11. Signature of Agency Head* or Rule-making Coordinator: "If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .1109 - CEASING TO USE A TECHNOLOGY P	ROVIDER	
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See altached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any:	11. Signature of Agency Head* or Rule-making Coordinator: ———————————————————————————————————	
Ann Elmore	Typed Name: Ann B. Wall	
Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .1110 - NOTICE OF CANCELLATION BY PROVIDER		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
□ v /as	☐ This Rule was part of a combined analysis.	
Yes Agency submitted request for consultation on:		
Consultation not required. Cite authority:	⊠ State funds affected	
The state of the s	 Local funds affected Substantial economic impact (≥\$1,000,000) 	
⊠ No	✓ Approved by OSBM	
10%	□ No fiscal note required	
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall		
Phone: (919) 814-5310	ann B. Ween	
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore		
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
Action taken:	D OAH USE ONLY	
ACTION MACH.		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal:
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07F .1111 - CONTENT OF NOTICE		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	 □ This Rule was part of a combined analysis. ☑ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) 	
⊠ No	□ Substantial economic impact (≥31,000,000) □ Approved by OSBM □ No fiscal note required	
9. REASO 9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310 E-Mail:	ann B. Ween	
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator OAH USE ONLY	
Action taken:	OAH USE UNET	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



	111010	
1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal):		
18 NCAC 07I .0101 - NOTÀRIES SUBJECT TO JOURNALING REQUIREMENTS		
3. Action:	DESCRIPTION DEPOSAL TUROUGUERS ADOPTION	
ADOPTION AMENDMENT REPEAL	READOPTION REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
☒ Notice Required		
Notice of Text published on: August 15, 2023		
Link to Agency notice: https://sosnc.gov/divisions/general_co	ounsel/open_rulemaking_phase_one_rulemaking	
Hearing on: September 19, 2023		
Adoption by Agency on: November 8, 2023		
Notice not required under G.S.:		
Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
□ Yes	☐ This Rule was part of a combined analysis.	
Yes Agency submitted request for consultation on:		
Consultation not required. Cite authority:		
Consultation not required one manner.	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000)	
	10 listai note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ∠ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall		
Phone: (919) 814-5310	ann B. Ween	
E-Mail:		
awall@sosnc.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore		
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	OAH USE ONLY	
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries.

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	of State
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0102 - DEFINITIONS	
3. Action:	READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review? Yes. Cite authority: No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	counsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM □ No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	SON FOR ACTION
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Phone: (919) 814-5310 E-Mail:	ann B. Ween
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
Action taken:	D OAH USE ONLY
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

DORIGINAL

SUBMISSION FO	R PERMANENT RULE	
1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0103 - JOURNAL REQUIREMENT		
3. Action: ADOPTION AMENDMENT REPEAL 4. Rule exempt from RRC review? Yes. Cite authority: No	READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review? Yes. Cite authority: No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 □ This Rule was part of a combined analysis. ☑ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) ☑ Approved by OSBM □ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: Week *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator	
	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0104 - JOURNAL OWNERSHIP		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☑ No 	 □ This Rule was part of a combined analysis. ☑ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) ☑ Approved by OSBM □ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency	DN FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 □ Petition for rule-making □ Other:	
Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: ———————————————————————————————————	
	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



	1015
1. Rule-Making Agency: N.C. Department of the Secretary of State	
2. Rule citation & name (name not required for repeal):	
18 NCAC 07I .0105 - ENTRY OF DATA INTO JOURNAL	
3. Action:	
X ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
☒ Notice Required	
Notice of Text published on: August 15, 2023	
Link to Agency notice: https://sosnc.gov/divisions/general_co	ounsel/open_rulemaking_phase_one_rulemaking
Hearing on: September 19, 2023	and the second s
Adoption by Agency on: November 8, 2023	
☐ Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
□ v	☐ This Rule was part of a combined analysis.
Yes Agency submitted request for consultation on:	
Consultation not required. Cite authority:	■ State funds affected
consultation not required. One authority.	Local funds affected
⊠ No	☐ Substantial economic impact (≥\$1,000,000)
T-7	Approved by OSBM
	☐ No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ☑ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	
Phone: (919) 814-5310	ann B. Ween
E-Mail:	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any: Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	O OAH USE ONLY
Action taken:	
1	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	f State	
2. Rule citation & name (name not required for repeal):		
18 NCAC 07I .0106 - EXCEPTIONS TO RULE .0105		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
	ES 110	
6. Notice for Proposed Rule:		
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on: 	ounsel/open_rulemaking_phase_one_rulemaking	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
Yes Agency submitted request for consultation on:	I was to be a second of the se	
Consultation not required. Cite authority:	☒ State funds affected	
Constitution not required the national of	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000) Approved by OSBM	
A-7 - 1	No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall		
Phone: (919) 814-5310	ann B. Ween	
E-Mail:	*If this function has been delegated (verseigned) nursuant to	
awall@sosnc.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore		
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	D OAH USE ONLY	
Action taken:		
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary o	f State
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0107 - ACCESS TO THE JOURNAL	
3. Action:	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM □ No fiscal note required
	□ Legislation enacted by the General Assembly □ Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 □ Petition for rule-making □ Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any:	11. Signature of Agency Head* or Rule-making Coordinator: "If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
RRC AND OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State
2. Rule citation & name (name not required for repeal):	
18 NCAC 07I .0201 - FORM OF TRADITIONAL NOTARY JOUR	RNAL
3. Action: ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes, Cite authority:
⊠ No	⊠ No
	——————————————————————————————————————
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	This Rule was part of a combined analysis.
Yes Agency submitted request for consultation on:	
Consultation not required. Cite authority:	State funds affected
Consultation not require a care anneally	Local funds affected
⊠ No	☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM
	No fiscal note required
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	1 1./
Phone: (919) 814-5310	ann B. Ween
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	O OAH USE ONLY
Action taken:	
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0202 - FORM OF ELECTRONIC NOTARY JOUR	RNAL	
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
➤ Notice Required		
Notice Required Notice of Text published on: August 15, 2023		
Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking		
Hearing on: September 19, 2023		
Adoption by Agency on: November 8, 2023		
☐ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
7. Rule establishes of increases a fee: (See G.S. 12-5.1)		
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000)	
T	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall		
Phone: (919) 814-5310	ann B. Ween	
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore		
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
Action taken:	OAH USE ONLY	
Action taken.		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal):		
18 NCAC 07I .0203 - COMBINED JOURNAL		
3. Action:	DEADORTION DEPENT THROUGH BEADORTION	
■ ADOPTION ■ AMENDMENT ■ REPEAL 4. Rule exempt from RRC review?	READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	☐ Yes. Cite authority: ☐ No	
△ No	△ N0	
6. Notice for Proposed Rule:		
⊠ Notice Required		
Notice of Text published on: August 15, 2023		
Link to Agency notice: https://sosnc.gov/divisions/general_c	ounsel/open_rulemaking_phase_one_rulemaking	
Hearing on: September 19, 2023		
Adoption by Agency on: November 8, 2023 Notice not required under G.S.:		
Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
7. Rule establishes of increases a rec. (See G.S. 12 S.1)		
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000)	
⊠ No	☑ Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall		
Phone: (919) 814-5310	ann B. Ween	
E-Mail:	and I a, West	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any: Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken:		
RRC extended period of review:		
RRC determined substantial changes:		
☐ Withdrawn by agency ☐ Subject to Legislative Review		
Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal):		
18 NCAC 07I .0204 - ENTRIES IN A TANGIBLE JOURNAL 3. Action:		
□ ADOPTION □ AMENDMENT □ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:	State funds affected	
Consultation not required. Cite authority:	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000)	
\(\text{A}\)	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall	0 0 1.6	
Phone: (919) 814-5310 E-Mail:	ann B. Ween	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0205 - REQUIREMENTS FOR A TANGIBLE JOURNAL		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☑ No 	 □ This Rule was part of a combined analysis. ☑ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) ☑ Approved by OSBM □ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: (919) 814-5310 E-Mail:	ann B. Waca	
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator O OAH USE ONLY	
Action taken:	7 OAH CSE ONE!	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary o	of State
2. Rule citation & name (name not required for repeal):	ALL VALUE
18 NCAC 07I .0206 - PROVISION OF JOURNAL TO DEPART	MENT
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	☐ Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_c Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	counsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	
	☐ Substantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	No fiscal note required
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	
Phone: (919) 814-5310	an B. Ween
E-Mail: awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	1,
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator D OAH USE ONLY
Action taken:	D OAH USE ONLI
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review	
Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

SUBMISSION FOR PERMANENT RULE DO CONAL



1. Rule-Making Agency: N.C. Department of the Secretary of	f State
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0207 - ACTS INCLUDED IN JOURNAL	
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No
6. Notice for Proposed Rule:	
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_collection Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on: 	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
 ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☑ No 	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM □ No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law; S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator O OAH USE ONLY
Action taken:	OAH USE ONE!
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal:
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State	
2. Rule citation & name (name not required for repeal):		
18 NCAC 07I .0208 - DESIGNATION OF NOTARIAL ACT		
3. Action: ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
Yes Agency submitted request for consultation on:		
Consultation not required. Cite authority:	✓ State funds affected	
consultation not required to the same of the	Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM	
	No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (010) 814 5310	ann B. Ween	
Phone: (919) 814-5310 E-Mail:	ann 12. Wan	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	Ann B. Wall	
Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken:		
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review		
Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

SUBMISSION FOR PERMANENT RULE UNIVERSE



1. Rule-Making Agency: N.C. Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 071 .0209 - EXCEPTION TO RULE .0208	
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No
6. Notice for Proposed Rule:	,
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_cr Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on: 	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
 ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ✓ No 	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM □ No fiscal note required
9A. What prompted this action? Check all that apply: Agency	 ☑ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: #If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator
	O OAH USE ONLY
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State
2. Rule citation & name (name not required for repeal): 18 NCAC 071 .0210 - DESIGNATION OF TYPE OF NOTARIAL	ACT
3. Action:	ACT
S. Action: □ ADOPTION □ AMENDMENT □ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ N ₀
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
Yes	
Agency submitted request for consultation on: Consultation not required. Cite authority:	
Consultation not required. One authority.	Local funds affected
⊠ No	Substantial economic impact (≥\$1,000,000) Approved by OSBM
9.7	No fiscal note required
9A, What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	0 1.
Phone: (919) 814-5310 E-Mail:	an B. Ween
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	Ann B. Wall
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator O OAH USE ONLY
Action taken:	OAH USE ONLI
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0211 - JOURNAL MAY COMBINE EMPLOYER-	RELATED AND NON-EMPLOYER ACTS
3. Action: X ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☑ No	5. Rule automatically subject to legislative review? Yes. Cite authority: No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 ∑ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) Z Approved by OSBM ☐ No fiscal note required
	1 No fiscal note required
9A. What prompted this action? Check all that apply: Agency	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521	11. Signature of Agency Head* or Rule-making Coordinator: "If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	O OAH USE ONLY
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary	of State
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0212 - JOURNAL RETENTION PERIOD	
3. Action: ADOPTION AMENDMENT REPEAT	READOPTION REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_ Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	counsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: № No 	 ☐ This Rule was part of a combined analysis. ☐ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM ☐ No fiscal note required
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator KD OAH USE ONLY
Action taken:	NO OAN COL ONE!
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries.

To prevent fraud and forgery,

To foster ethical conduct among notaries.

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0301 - CONTENTS OF JOURNAL FOR CANCE	ELED ACT	
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	 ☐ This Rule was part of a combined analysis. ☑ State funds affected ☐ Local funds affected 	
⊠ No	 Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
94. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:	
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	Typed Name: Ann B. Wall	
	Title: General Counsel and Rulemaking Coordinator O OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency		
Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

ORIGINA

1. Rule-Making Agency: N.C. Department of the Secretary of State	
2. Rule citation & name (name not required for repeal):	
18 NCAC 07I .0302 - CONTENTS OF JOURNAL	
3. Action:	
■ ADOPTION	READOPTION REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
☒ Notice Required	
Notice of Text published on: August 15, 2023	
Link to Agency notice: https://sosnc.gov/divisions/general_co	ounsel/open_rulemaking_phase_one_rulemaking
Hearing on: September 19, 2023	
Adoption by Agency on: November 8, 2023	
☐ Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
	☐ This Rule was part of a combined analysis.
Yes Agency submitted request for consultation on:	
Consultation not required. Cite authority:	State funds affected
Consultation not required. Cite authority.	Local funds affected
⊠ No	☐ Substantial economic impact (≥\$1,000,000)
	Approved by OSBM
	☐ No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ☑ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall	
Phone: (919) 814-5310	an B. Ween
E-Mail:	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator
	O OAH USE ONLY
Action taken:	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review	
Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary	of State
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0303 - ADDITIONAL JOURNAL CONTENTS F	
3. Action: X ADOPTION AMENDMENT REPEAL 4. Rule exempt from RRC review? Yes. Cite authority: No	L READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review? Ves. Cite authority: No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_e Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	counsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 ☐ This Rule was part of a combined analysis. ☑ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☑ Approved by OSBM ☐ No fiscal note required
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall Phone: (919) 814-5310	an B. Ween
E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator ID OAH USE ONLY
Action taken:	D OAR USE ONL1
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal):		
18 NCAC 07I .0304 - EMPLOYER REQUEST FOR INCLUSIO	N OF ADDITIONAL INFORMATION IN JOURNAL	
3. Action:		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000)	
△ 140	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall	ann B. Ween	
Phone: (919) 814-5310 E-Mail:	and 12. Wall	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	Ann B. Wall	
Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator	
	D OAH USE ONLY	
Action taken:	J O'M' COL O'M'	
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review		
Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0305 PARTY REQUEST FOR INCLUSION OF ADDITIONAL INFORMATION IN JOURNAL FOR REMOTE ELECTRO		
3. Action: ☒ ADOPTION ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority: ☑ No	☐ Yes. Cite authority: ⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☑ No 	 ☐ This Rule was part of a combined analysis. ☑ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥S1,000,000) ☑ Approved by OSBM 	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency	ON FOR ACTION ■ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ■ Petition for rule-making ■ Other:	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310 E-Mail:	ann B. Ween	
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0306 NOTATION OF REQUESTS FOR INCLUSION OF ADDITIONAL INFORMATION IN JOURNAL		
3. Action: ADOPTION AMENDMENT REPEAL READOPTION REPEAL THROUGH READOPTION		
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 □ This Rule was part of a combined analysis. ☑ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) 	
	 ☒ Approved by OSBM ☐ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law; S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:	
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall	
Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries.

To prevent fraud and forgery,

To foster ethical conduct among notaries.

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

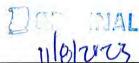
- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0307 NOTARY SHALL NOT PROVIDE UNRELA	ATED NOTARIAL ACT INFORMATION TO EMPLOYER	
3. Action:		
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 ☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☑ No 	 ☐ This Rule was part of a combined analysis. ☐ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ☐ Approved by OSBM 	
	☐ No fiscal note required	
94. What prompted this action? Check all that apply: Agency	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: On B. Weet *If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any: Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0308 - JOURNAL SUPPLEMENTS		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☑ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	 ☐ This Rule was part of a combined analysis. ☑ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) 	
⊠ No		
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521	11. Signature of Agency Head* or Rule-making Coordinator: "If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	f State	
2. Rule citation & name (name not required for repeal):		
18 NCAC 07I .0401 - MAINTAIN BACKUP COPY		
3. Action: ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023		
Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
	☐ This Rule was part of a combined analysis.	
Yes	This reactives part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority:	☒ State funds affected	
Consultation not required. One authority.	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000)	
	 ☒ Approved by OSBM ☒ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310	ann B. Ween	
E-Mail:	ann 12. Wan	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	Typed Name: Ann B. Wall	
Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	O OAH USE ONLY	
Action taken:		
RRC extended period of review: RRC determined substantial changes:		
☐ Withdrawn by agency ☐ Subject to Legislative Review		
Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

MAL

1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0402 - FORMAT OF BACKUP COPY		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: (919) 814-5310 E-Mail:	ann B. Ween	
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall	
Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0403 - PRINTING OUT OF ELECTRONIC JOURNAL ENTRIES		
3. Action: ☐ AMENDMENT ☐ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) □ Approved by OSBM □ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	DN FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 □ Petition for rule-making □ Other:	
Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: "If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator	
	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0404 - INCLUDING SIGNATURES IN JOURNAL		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority: ☐ No	☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority:	 This Rule was part of a combined analysis. State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) 	
⊠ No	□ Approved by OSBM □ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See altached	 ∠ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator:	
awall@sosnc.gov Additional agency contact, if any: Ann Elmore	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 071 .0405 - TECHNOLOGICAL ISSUES		
3. Action:		
ADOPTION	READOPTION REPEAL THROUGH READOPTION 5. Rule automatically subject to legislative review?	
Yes. Cite authority:	S. Rule automatically subject to legislative review:	
⊠ No	No No	
	Z 110	
6. Notice for Proposed Rule:	(
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:	☒ State funds affected	
Consultation not required. Cite authority:	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000)	
M	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: (919) 814-5310	an B. Wan	
E-Mail:	ann 12. Was	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any: Ann Elmore	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State	
2. Rule citation & name (name not required for repeal):		
18 NCAC 07I .0406 - PRE-POPULATED DATA TO BE CONFIRMED BY NOTARY PUBLIC		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
V Notice Described		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking		
Hearing on: September 19, 2023		
Adoption by Agency on: November 8, 2023		
Notice not required under G.S.:		
Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact, Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:	State funds affected ■ State funds	
Consultation not required. Cite authority:	Local funds affected	
N.	Substantial economic impact (≥\$1,000,000)	
⊠ No	Approved by OSBM	
	☐ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall		
Phone: (919) 814-5310	an B. Ween	
E-Mail:		
awall@sosnc.gov Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore	G.S. 143b-10(a), Submit a copy of the delegation with this form.	
Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND	OAH USE ONLY	
Action taken:		
☐ RRC extended period of review: ☐ RRC determined substantial changes: ☐ Withdrawn by agency ☐ Subject to Legislative Review ☐ Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

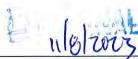
- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



2. Rule citation & name (name not required for repeal): 18 NCAC 07I .0407 - STEPS BEFORE COMMITTING AN ELE	CTRONIC IOLIRNAL ENTRY
3. Action:	OTTOMO GOOTIVIL ENTIT
□ ADOPTION □ AMENDMENT □ REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	Yes, Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required 145 0000	
Notice of Text published on: August 15, 2023	sussel/essa udamética abasa ana alamatina
Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023	bunser/open_rulemaking_phase_one_rulemaking
Adoption by Agency on: November 8, 2023	
☐ Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	Local funds affected
	Substantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	☐ No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	ON FOR ACTION Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall Phone: (919) 814-5310	ann B. Ween
E-Mail:	ann 12. Wan
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.
Ann Elmore	Ana B. Wall
Phone: (919) 814-5521	Typed Name: Ann B. Wall
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator O OAH USE ONLY
Action taken:	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

ORIGINAL 11/8/2023

1. Rule-Making Agency: N.C. Department of the Secretary o	f State
2. Rule citation & name (name not required for repeal): 18 NCAC 07K .0101 - DEFINITIONS	
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_co Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:	ounsel/open_rulemaking_phase_one_rulemaking
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required
	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other:
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:
Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator
	O OAH USE ONLY
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review	
Other:	

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

ORIGINAL 11/8/7023

1. Rule-Making Agency: N.C. Department of the Secretary of	State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07K .0201 - TRAVEL FEE RATE		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☑ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 ⊠ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) ⊠ Approved by OSBM □ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	11. Signature of Agency Head* or Rule-making Coordinator: *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator	
	OAH USE ONLY	
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022- 54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress: or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07K .0202 - ESTIMATE OF CHARGES		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 ⊠ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) ☑ Approved by OSBM □ No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency	 ☑ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator O OAH USE ONLY	
Action taken:	J. J	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07K .0203 - INCLUSION OF FEES IN JOURNAL		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
□ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ∠ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 Petition for rule-making Other: 	
10. Rulemaking Coordinator: Ann B. Wall Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any:	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann Elmore		
Phone: (919) 814-5521	Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator	
E-Mail: aelmore@sosnc.gov Title: General Counsel and Rulemaking Coordinator RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07K .0204 - CONSENT TO TRAVEL FEES MAY BE ELECTRONIC		
3. Action:	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 ∑ State funds affected ☐ Local funds affected ☐ Substantial economic impact (≥\$1,000,000) ∑ Approved by OSBM ☐ No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator OAH USE ONLY	
Action taken:	OAH USE UNL1	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

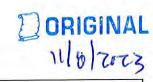
- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, 1, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of State		
2. Rule citation & name (name not required for repeal): 18 NCAC 07K .0205 - CONTENTS OF ADVANCE CONSENT TO TRAVEL FEES		
3. Action: X ADOPTION AMENDMENT REPEAL	☐ READOPTION ☐ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☐ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☐ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking Hearing on: September 19, 2023 Adoption by Agency on: November 8, 2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ∠ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ☐ Petition for rule-making ☐ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall Phone: (919) 814-5310 E-Mail: awall@sosnc.gov Additional agency contact, if any: Ann Elmore Phone: (919) 814-5521 E-Mail: aelmore@sosnc.gov	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator O OAH USE ONLY	
Action taken:	OAH USE UNLI	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3. Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, 1, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.



1. Rule-Making Agency: N.C. Department of the Secretary of	State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07K .0206 - NOTARIAL RECORD OF WRITTEN CONSENT TO TRAVEL FEES		
3. Action:	NOLIVI TO TIVIVEL FELO	
■ ADOPTION	■ READOPTION ■ REPEAL THROUGH READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
 Notice Required Notice of Text published on: August 15, 2023 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_one_rulemaking		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:		
Consultation not required. Cite authority:	Local funds affected	
⊠ No	☐ Substantial economic impact (≥\$1,000,000)	
Z		
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: See attached	 ✓ Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54; S.L. 2023-57; S.L. 2023-124 ✓ Petition for rule-making ✓ Other: 	
10. Rulemaking Coordinator: Ann B. Wall	11. Signature of Agency Head* or Rule-making Coordinator:	
Ann B. Wall	ann B. Ween	
Phone: (919) 814-5310 E-Mail:	an 12. Wall	
awall@sosnc.gov	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Ann Elmore Phone: (919) 814-5521	Typed Name: Ann B. Wall	
E-Mail: aelmore@sosnc.gov	Title: General Counsel and Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

The Remote Electronic Notarization Act (RENA) was effective on July 8, 2022, S.L. 2022-54. RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. RENA has subsequently been amended twice, by S.L. 2023-57 and S.L. 2023-124.

Adoption of RENA was a direct outcome of the global pandemic. The pandemic increased the remote conduct of economic activity. The pandemic also established the need to conduct crucial business, legal, healthcare, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

The Notary Public Act sets requirements to become a traditional notary public, a public official. A traditional notary public performs notarial acts during an in-person meeting with the principal. A traditional notary must identify the principal using one of three specific methods. The Act and rules govern the conduct of the notary and how to become a notary instructor. Article 2 of the Act governs electronic notaries public (e-Notaries or eNotary). Like a traditional notary, an eNotary performs notarial acts during an in-person meeting. The eNotary uses technology to electronically notarize the principal's electronic signature. An electronic notary has to comply with most traditional notary requirements. The Act also regulates the technology used by the eNotary to perform electronic notarial acts.

RENA allows an NC notary, specifically an eNotary, who is physically located in NC, to perform remote electronic notarizations for a remotely located principal. A remotely located principal can physically be anywhere in the United States or its territories. In specific circumstances, the principal can be on a US military base or in a US embassy. RENA requires real-time, simultaneous communication between the eNotary and the remote principal using communications technology. RENA also establishes criteria that the technology has to meet.

RENA directs the Secretary of State to adopt rules on a large number of topics. The rules must fulfill the purposes of the Notary Public Act, including:

To simplify, clarify, and modernize the law governing notaries,

To prevent fraud and forgery,

To foster ethical conduct among notaries,

To enhance interstate recognition of notarial acts, and

To integrate procedures for all of the following notarial acts: Traditional paper, electronic notarization, and remote electronic notarization.

The Department seeks to adopt rules that will promote public confidence in the reliability of signatures and the identification of remotely located principals. These rules will help to ensure that transactions are not repudiated as a result of:

- 1. Mental incapacity of the principal;
- 2. Coercion or duress; or
- 3 Fraud.

By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.

RENA requirements for remote electronic notarial acts (RENs) are based on requirements for traditional notaries and notarial acts, as well as the requirements for eNotaries and electronic notarial acts. To the extent feasible, the RENA rules, must, therefore, harmonize the requirements for traditional notaries, eNotaries, and eNotaries performing remote electronic notarial acts.

Due to the scope and scale of the requirements for this rulemaking process, the Secretary will propose the rules in three sets. This first set of proposed rules deals with fundamental issues related to all three methods of performing notarial acts and to establishing certain common rules. This is that first set of rules. The proposed rule amendments, adoptions, and repeals in this first set involve Subchapters B, F, I, and K of 18 NCAC 07. G.S. 150B-21.3A separately requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. Many of the existing notary rules are nearing the end of their decadal cycle and thus are due for review and readoption. This first set of rules is undertaken to satisfy both the requirements of RENA and G.S. 150B-21.3A.

The second set of rules will primarily focus on revising existing rules. The final set of rules will be focused primarily on the technology used to perform remote electronic notarial acts and the licensure and approval of the providers of that technology.

1. Rule-Making Agency: Board of Chiropractic Examiners		
2. Rule citation & name (name not required for repeal): 21 NCAC 10 .0204 - Licensure; Renewal of License		
3. Action: ☐ ADOPTION ☒ AMENDMENT ☐ REPEAL		
4. Rule exempt from RRC review? ☐ Yes. Cite authority: ☒ No	5. Rule automatically subject to legislative review? ☐ Yes. Cite authority: ☒ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: 9/1/2023 Link to Agency notice: https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTA3MTI4M2QtNzJhOS00M2I1LTk3M Hearing on: 9/18/2023 Adoption by Agency on: 11/6/2023 Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
☐ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ☑ No	 □ This Rule was part of a combined analysis. □ State funds affected □ Local funds affected □ Substantial economic impact (≥\$1,000,000) 	
I M NO	☐ Approved by OSBM ☑ No fiscal note required	
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: 21 NCAC 10 .0204 - To clarify how online continuing education course		
10. Rulemaking Coordinator: Dr. Joe Siragusa Dr. Joe Siragusa	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 704-793-1342 ext. 1004		
E-Mail: dr. joe@ncchiroboard.com	*If this function has been delegated (reassigned) pursuant to	
Additional agency contact, if any:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
Phone:	Typed Name: Dr. Joe Siragusa	
E-Mail:	Title: Executive Director O OAH USE ONLY	
Action taken:	O OAH USE UNLI	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: NC Board of Nursing		
2. Rule citation & name (name not required for repeal): 21 NCAC 36 .0120 Definitions		
3. Action: ☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 15, 2023 Link to Agency notice: www.ncbon.com Hearing on: November 1, 2023 Adoption by Agency on: November 16, 2023 □ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Angela Ellis	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 984.238.7644 E-Mail: angela@ncbon.com	Angela Ellis	
Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to	
Phone: E-Mail:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
E-Man:	one control of the co	
	Typed Name: Angela Ellis Title: Chief Administrative Officer/Rulemaking Coordinator	
Action taken:	OAH USE ONLY	
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: NC Board of Nursing		
2. Rule citation & name (name not required for repeal): 21 NCAC 36 .0220 Refresher Course		
3. Action: ☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 15, 2023 Link to Agency notice: www.ncbon.com Hearing on: November 1, 2023 Adoption by Agency on: November 16, 2023 □ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required 	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Angela Ellis	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 984.238.7644 E-Mail: angela@ncbon.com	Angela Ellis	
Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to	
Phone: E-Mail:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
	Typed Name: Angela Ellis Title: Chief Administrative Officer/Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: NC Board of Nursing		
2. Rule citation & name (name not required for repeal): 21 NCAC 36 .0233 Out of State Students		
3. Action: ☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION		
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
Yes. Cite authority:	Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 15, 2023 Link to Agency notice: www.ncbon.com Hearing on: November 1, 2023 Adoption by Agency on: November 16, 2023 □ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
□ Vos	☐ This Rule was part of a combined analysis.	
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply: Agency		
10. Rulemaking Coordinator: Angela Ellis	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 984.238.7644 E-Mail: angela@ncbon.com	Angela Ellis	
Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to	
Phone:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
E-Mail:	oloi 1102 10(u), submit a copy of the delegation with this form	
	Typed Name: Angela Ellis Title: Chief Administrative Officer/Rulemaking Coordinator	
RRC AND OAH USE ONLY		
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: NC Board of Nursing		
2. Rule citation & name (name not required for repeal): 21 NCAC 36 .0302 Establishment of a Nursing Program – Initial		
Approval		
3. Action:		
A Duly assessed from DDC assistant	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority: ☐ No	☐ Yes. Cite authority: ☐ No	
No6. Notice for Proposed Rule:	NO	
Notice Required		
Notice of Text published on: September 15, 2023 Link to Agency notice: www.ncbon.com		
Hearing on: November 1, 2023		
Adoption by Agency on: November 16, 2023		
☐ Notice not required under G.S.:		
Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:	State funds affected	
Consultation not required. Cite authority:	Local funds affected	
	Substantial economic impact (≥\$1,000,000)	
⊠ No	Approved by OSBM	
	No fiscal note required	
9. REASO	ON FOR ACTION	
9A. What prompted this action? Check all that apply:		
Agency	☐ Legislation enacted by the General Assembly	
Court order / cite:	Cite Session Law:	
☐ Federal statute / cite:☐ Federal regulation / cite:	☐ Petition for rule-making ☐ Other:	
	e goal of assuring that the NCBON Administrative Code (Rules)	
	nt, consistent, and conducive to the preparation of nurses able to	
provide safe, effective, care now and in the future, carefully re	viewed the literature, resources from the National Council of State	
	ing regulatory bodies, and testimony from NC education, regulatory	
and practice stakeholders.		
10. Rulemaking Coordinator: Angela Ellis	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 984,238.7644	Ten being to Turt.	
E-Mail: angela@ncbon.com	Angela Ellio	
I man ungenwinebonieum	ou upour outor	
Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to	
Phone:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
E-Mail:	olov 1 le 2 10(u), out mit u copy of the uclegation with this form.	
	Typed Name: Angela Ellis	
DDC AND	Title: Chief Administrative Officer/Rulemaking Coordinator	
RRC AND OAH USE ONLY Action taken:		
Action taken.		
RRC extended period of review:		
RRC determined substantial changes:		
☐ Withdrawn by agency ☐ Subject to Legislative Review		
Other:		

1. Rule-Making Agency: NC Board of Nursing		
2. Rule citation & name (name not required for repeal): 21 NCAC 36 .0303 Existing Nursing Program		
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION	
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?	
☐ Yes. Cite authority:	☐ Yes. Cite authority:	
⊠ No	⊠ No	
6. Notice for Proposed Rule:		
Notice Required Notice of Text published on: September 15, 2023 Link to Agency notice: www.ncbon.com Hearing on: November 1, 2023 Adoption by Agency on: November 16, 2023 □ Notice not required under G.S.: Adoption by Agency on:		
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.	
Yes	☐ This Rule was part of a combined analysis.	
Agency submitted request for consultation on:	State funds affected	
Consultation not required. Cite authority:	Local funds affected	
⊠ No	Substantial economic impact (≥\$1,000,000)	
	Approved by OSBM	
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply:		
Agency	Legislation enacted by the General Assembly	
☐ Court order / cite: ☐ Federal statute / cite:	Cite Session Law: Petition for rule-making	
Federal regulation / cite:	Other:	
9B. Explain: The Education and Practice Committee, with the goal of assuring that the NCBON Administrative Code (Rules) regulating pre-licensure nursing education programs are current, consistent, and conducive to the preparation of nurses able to provide safe, effective, care now and in the future, carefully reviewed the literature, resources from the National Council of State Boards of Nursing (NCSBN), rules and practices of other nursing regulatory bodies, and testimony from NC education, regulatory and practice stakeholders.		
10. Rulemaking Coordinator: Angela Ellis	11. Signature of Agency Head* or Rule-making Coordinator:	
Phone: 984.238.7644 E-Mail: angela@ncbon.com	Angela Ellis	
Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to	
Phone: E-Mail:	G.S. 143B-10(a), submit a copy of the delegation with this form.	
E-Man.		
	Typed Name: Angela Ellis Tida: Chief Administrative Officer/Bulamaking Coordinator	
RRC AND	Title: Chief Administrative Officer/Rulemaking Coordinator OAH USE ONLY	
Action taken:		
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:		

1. Rule-Making Agency: NC Board of Nursing	
2. Rule citation & name (name not required for repeal): 21	NCAC 36 .0309 Process for Program Closure
3. Action: ☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: September 15, 2023 Link to Agency notice: www.ncbon.com Hearing on: November 1, 2023 Adoption by Agency on: November 16, 2023 □ Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
□ Vos	☐ This Rule was part of a combined analysis.
 ✓ Yes Agency submitted request for consultation on: Consultation not required. Cite authority: ✓ No 	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required
9. REASO	ON FOR ACTION
regulating pre-licensure nursing education programs are current provide safe, effective, care now and in the future, carefully re	Legislation enacted by the General Assembly Cite Session Law: Petition for rule-making Other: e goal of assuring that the NCBON Administrative Code (Rules) nt, consistent, and conducive to the preparation of nurses able to viewed the literature, resources from the National Council of State ing regulatory bodies, and testimony from NC education, regulatory
10. Rulemaking Coordinator: Angela Ellis	11. Signature of Agency Head* or Rule-making Coordinator:
Phone: 984.238.7644 E-Mail: angela@ncbon.com	Angela Ellio
Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to
Phone:	G.S. 143B-10(a), submit a copy of the delegation with this form.
E-Mail:	o.s. 110D 10(a), submit a copy of the delegation with this form.
	Typed Name: Angela Ellis Title: Chief Administrative Officer/Rulemaking Coordinator
Action taken:	OAH USE ONLY
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

1. Rule-Making Agency: NC Board of Nursing	
2. Rule citation & name (name not required for repeal): 21 NCAC 36 .0317 Administration	
3. Action: ☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: September 15, 2023 Link to Agency notice: www.ncbon.com Hearing on: November 1, 2023 Adoption by Agency on: November 16, 2023 □ Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
□ Vos	☐ This Rule was part of a combined analysis.
 Yes Agency submitted request for consultation on: Consultation not required. Cite authority: No 	State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required
9. REASO	ON FOR ACTION
9A. What prompted this action? Check all that apply: Agency	
10. Rulemaking Coordinator: Angela Ellis	11. Signature of Agency Head* or Rule-making Coordinator:
Phone: 984.238.7644 E-Mail: angela@ncbon.com	Angela Ellis
Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to
Phone: E-Mail:	G.S. 143B-10(a), submit a copy of the delegation with this form.
E-Man:	one control of the co
	Typed Name: Angela Ellis Title: Chief Administrative Officer/Rulemaking Coordinator
Action taken:	OAH USE ONLY
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

1. Rule-Making Agency: NC Board of Nursing	
2. Rule citation & name (name not required for repeal): 21	NCAC 36 .0318 Faculty
3. Action:	
☐ ADOPTION ☒ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
No Notice for Proposed Rule:	⊠ No
•	
Notice Required Notice of Text published on: September 15, 2023	
Link to Agency notice: www.ncbon.com	
Hearing on: November 1, 2023	
Adoption by Agency on: November 16, 2023	
Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	State funds affected
Consultation not required. Cite authority:	Local funds affected
⊠ No	Substantial economic impact (≥\$1,000,000)
	☐ Approved by OSBM ☐ No fiscal note required
0. DEAG	<u> </u>
9. REASO 9A. What prompted this action? Check all that apply:	ON FOR ACTION
Agency	☐ Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	☐ Other: e goal of assuring that the NCBON Administrative Code (Rules)
	nt, consistent, and conducive to the preparation of nurses able to
	viewed the literature, resources from the National Council of State
	ing regulatory bodies, and testimony from NC education, regulatory
and practice stakeholders.	
10. Rulemaking Coordinator: Angela Ellis	11. Signature of Agency Head* or Rule-making Coordinator:
Phone: 984.238.7644	Λ
E-Mail: angela@ncbon.com	Angela Ellio
Additional agency contact, if any:	
Phone:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
E-Mail:	G.S. 145b-10(a), submit a copy of the delegation with this form.
	Typed Name: Angela Ellis
	Title: Chief Administrative Officer/Rulemaking Coordinator
RRC AND Action taken:	OAH USE ONLY
ACTION TAKEN.	
RRC extended period of review: RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: NC Board of Nursing	
2. Rule citation & name (name not required for repeal): 21 NCAC 36 .0320 Students	
3. Action: ☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: September 15, 2023 Link to Agency notice: www.ncbon.com Hearing on: November 1, 2023 Adoption by Agency on: November 16, 2023 □ Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on: Consultation not required. Cite authority: No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required
9. REASO	ON FOR ACTION
regulating pre-licensure nursing education programs are current provide safe, effective, care now and in the future, carefully re	Legislation enacted by the General Assembly Cite Session Law: Petition for rule-making Other: e goal of assuring that the NCBON Administrative Code (Rules) nt, consistent, and conducive to the preparation of nurses able to viewed the literature, resources from the National Council of State ing regulatory bodies, and testimony from NC education, regulatory
10. Rulemaking Coordinator: Angela Ellis	11. Signature of Agency Head* or Rule-making Coordinator:
Phone: 984.238.7644 E-Mail: angela@ncbon.com	Angela Ellis
Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to
Phone: E-Mail:	G.S. 143B-10(a), submit a copy of the delegation with this form.
E-Man:	one control of the co
	Typed Name: Angela Ellis Title: Chief Administrative Officer/Rulemaking Coordinator
Action taken:	OAH USE ONLY
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

1. Rule-Making Agency: NC Board of Nursing	
2. Rule citation & name (name not required for repeal): 21	NCAC 36 .0321 Curriculum
3. Action:	
☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
No Notice for Proposed Rule:	⊠ No
•	
Notice Required Notice of Text published on: September 15, 2023	
Link to Agency notice: www.ncbon.com	
Hearing on: November 1, 2023	
Adoption by Agency on: November 16, 2023 Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	State funds affected
Consultation not required. Cite authority:	Local funds affected
⊠ No	Substantial economic impact (≥\$1,000,000)
	☐ Approved by OSBM ☐ No fiscal note required
9 REAS	ON FOR ACTION
9A. What prompted this action? Check all that apply:	N TOR ACTION
	☐ Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
☐ Federal statute / cite:☐ Federal regulation / cite:	☐ Petition for rule-making ☐ Other:
	e goal of assuring that the NCBON Administrative Code (Rules)
	nt, consistent, and conducive to the preparation of nurses able to
	viewed the literature, resources from the National Council of State ing regulatory bodies, and testimony from NC education, regulatory
and practice stakeholders.	ing regulatory bodies, and testimony from the education, regulatory
10. Rulemaking Coordinator: Angela Ellis	11. Signature of Agency Head* or Rule-making Coordinator:
Phone: 984.238.7644	12 No. 10 To To
E-Mail: angela@ncbon.com	Angela Ellio
Additional agency contact, if any: Phone:	*If this function has been delegated (reassigned) pursuant to
E-Mail:	G.S. 143B-10(a), submit a copy of the delegation with this form.
	Typed Name: Angela Ellis
	Title: Chief Administrative Officer/Rulemaking Coordinator
	OAH USE ONLY
Action taken:	
RRC extended period of review:	
RRC determined substantial changes: Withdrawn by agency	
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: NC Board of Nursing	
2. Rule citation & name (name not required for repeal): 21 NCAC 36 .0322 Facilities	
3. Action: ☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
⊠ No	No No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: September 15, 2023 Link to Agency notice: www.ncbon.com Hearing on: November 1, 2023 Adoption by Agency on: November 16, 2023 □ Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on: Consultation not required. Cite authority: No	State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM No fiscal note required
9. REASO	ON FOR ACTION
regulating pre-licensure nursing education programs are current provide safe, effective, care now and in the future, carefully re	Legislation enacted by the General Assembly Cite Session Law: Petition for rule-making Other: e goal of assuring that the NCBON Administrative Code (Rules) nt, consistent, and conducive to the preparation of nurses able to eviewed the literature, resources from the National Council of State sing regulatory bodies, and testimony from NC education, regulatory
10. Rulemaking Coordinator: Angela Ellis	11. Signature of Agency Head* or Rule-making Coordinator:
Phone: 984.238.7644 E-Mail: angela@ncbon.com	Angela Ellis
Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to
Phone: E-Mail:	G.S. 143B-10(a), submit a copy of the delegation with this form.
E-ivian.	.,,
	Typed Name: Angela Ellis Title: Chief Administrative Officer/Rulemaking Coordinator
Action taken:	OAH USE ONLY
RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

1. Rule-Making Agency: NC Board of Nursing	
2. Rule citation & name (name not required for repeal): 21	NCAC 36 .0323 Records and Reports
3. Action:	_
ADOPTION AMENDMENT REPEAL	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:☒ No	☐ Yes. Cite authority:☒ No
6. Notice for Proposed Rule:	
Notice of Text published on: September 15, 2023	
Link to Agency notice: www.ncbon.com	
Hearing on: November 1, 2023	
Adoption by Agency on: November 16, 2023 Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	State funds affected
Consultation not required. Cite authority:	Local funds affected
⊠ No	Substantial economic impact (\geq\\$1,000,000)
	 □ Approved by OSBM ☑ No fiscal note required
0 DEAS	ON FOR ACTION
94. What prompted this action? Check all that apply:	ON FOR ACTION
✓ Agency	☐ Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	☐ Other: e goal of assuring that the NCBON Administrative Code (Rules)
	nt, consistent, and conducive to the preparation of nurses able to
	eviewed the literature, resources from the National Council of State
	ing regulatory bodies, and testimony from NC education, regulatory
and practice stakeholders.	
10. Rulemaking Coordinator: Angela Ellis	11. Signature of Agency Head* or Rule-making Coordinator:
Phone: 984.238.7644	Λ
E-Mail: angela@ncbon.com	angela Ellio
Additional agency contact, if any:	y.
Phone:	*If this function has been delegated (reassigned) pursuant to
E-Mail:	G.S. 143B-10(a), submit a copy of the delegation with this form.
	Typed Name: Angela Ellis
	Title: Chief Administrative Officer/Rulemaking Coordinator
	OAH USE ONLY
Action taken:	
RRC extended period of review:	
RRC determined substantial changes:	
☐ Withdrawn by agency ☐ Subject to Legislative Review	
Other:	

1. Rule-Making Agency: North Carolina State Board of Examiners in Optometry	
2. Rule citation & name (name not required for repeal): 21	NCAC 42B .0204 CEASING PRACTICE
3. Action: ADOPTION X AMENDMENT REPEAL	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	☐ Yes. Cite authority:
X No	X No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: July 25, 2023 Link to Agency notice: https://www.ncoptometry.org/proposed-rules Hearing on: none Adoption by Agency on: November 2, 2023 Notice not required under G.S.: 150B-21.5(a)(4) Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on: Consultation not required. Cite authority: X No	 State funds affected Local funds affected Substantial economic impact (≥\$1,000,000) Approved by OSBM X No fiscal note required
9. REASO	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
X Agency Court order / cite: Federal statute / cite: Federal regulation / cite: 9B. Explain: Updates to Rule which includes how to deal w	 □ Legislation enacted by the General Assembly Cite Session Law: □ Petition for rule-making □ Other: with the estate of a deceased practitioner.
10. Rulemaking Coordinator: Johnny M. Loper	11. Signature of Agency Head* or Rule-making Coordinator:
Phone: 919-390-7749 E-Mail: jloper@loper-law.com Additional agency contact, if any: Janice K. Peterson Phone: 910-285-3160 E-Mail: janice@ncoptometry.org	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
2 Man james e neoptomeny.org	Typed Name:
	Title:
RRC AND	OAH USE ONLY
Action taken: RRC extended period of review: RRC determined substantial changes: Withdrawn by agency Subject to Legislative Review Other:	

1. Rule-Making Agency: North Carolina State Board of Ex	xaminers in Optometry
2. Rule citation & name (name not required for repeal): 21	NCAC 42M .0105 REMUNERATION AND EXPENSES
3. Action:	_
☐ ADOPTION X AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	Yes. Cite authority:
X No	X No
6. Notice for Proposed Rule: X Notice Required Notice of Text published on: June 20, 2023 Link to Agency notice: https://www.ncoptometry.org/proposed-rules Hearing on: none Adoption by Agency on: November 2, 2023 Notice not required under G.S.: 150B-21.5(a)(4) Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	State funds affected
Consultation not required. Cite authority:	Local funds affected
X No	Substantial economic impact (≥\$1,000,000)
A 110	Approved by OSBM
	X No fiscal note required
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	_
X Agency	Legislation enacted by the General Assembly
Court order / cite: Federal statute / cite:	Cite Session Law: Petition for rule-making
Federal regulation / cite:	Other:
9B. Explain: The Board no longer requires form BEO-9	_
10. Rulemaking Coordinator: Johnny M. Loper	11. Signature of Agency Head* or Rule-making Coordinator:
10. Kulcinaking Coordinator. Johnny M. Loper	11. Signature of Agency ficau of Ruic-making Coordinator.
Phone: 919-390-7749	TANIMA
E-Mail: jloper@loper-law.com	ON LEGEN
Additional against contact if any Janier V. Detamon	
Additional agency contact, if any: Janice K. Peterson Phone: 910-285-3160	*If this function has been delegated (reassigned) pursuant to
E-Mail: janice@ncoptometry.org	G.S. 143B-10(a), submit a copy of the delegation with this form.
, , , ,	Typed Name:
	Title:
RRC AND OAH USE ONLY	
Action taken:	
RRC extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: NC Building Code Council	
2. Rule citation & name (name not required for repeal): 2024 NC Administrative Code & Policies (221213 Item B-1)	
3. Action:	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	☐ Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
⊠ Notice Required	
Notice of Text published on: January 31, 2023	
Link to Agency notice: https://www.ncosfm.gov/codes/	building-code-council-bcc/bcc-hearing-notices
Hearing on: March 14, 2023	
Adoption by Agency on: June 13, 2023	
Notice not required under G.S.: Adoption by Agency on:	
Adoption by Agency on.	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
(300 3130 12 012)	
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	☐ State funds affected
Consultation not required. Cite authority:	Local funds affected
⊠ No	Substantial economic impact (≥\$1,000,000)
	Approved by OSBM
	◯ No fiscal note required
	SON FOR ACTION
9A. What prompted this action? Check all that apply:	<u>_</u>
Agency	Legislation enacted by the General Assembly
☐ Court order / cite:☐ Federal statute / cite:	Cite Session Law:
Federal statute / cite:	 ✓ Petition for rule-making ✓ Other:
	blic by establishing standard administrative policies and procedures.
	J
The delayed effective date of this Rule is January 1, 2025.	
The Statutory authority for Rule-making is G. S. 143-136; 14	13-138.
10. Rulemaking Coordinator: David B. Rittlinger	11. Signature of Agency Head* or Rule-making Coordinator:
David B. Rittlinger	52. E - 1 No. 1 No. 1
Phone: (919)647-0008 E-Mail: david.rittlinger@ncdoi.gov	DR DAINS-
E-Man. david.rittiniger@ncdor.gov	2-1410
Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to
Phone:	G.S. 143B-10(a), submit a copy of the delegation with this form.
E-Mail:	(A))
	Typed Name: David B. Rittlinger
——————————————————————————————————————	Title: Chief Code Consultant
	D OAH USE ONLY
Action taken:	
RRC extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review Other:	
LL LYMIN.	

1. Rule-Making Agency: NC Building Code Council	
2. Rule citation & name (name not required for repeal):	
2024 North Carolina Administrative Code & Policies Appendi	x B (230314 Item B-13)
3. Action: ☐ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	☐ Yes. Cite authority:
No ·	N ₀
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: May 15, 2023 Link to Agency notice: https://www.ncosfm.gov/codes/building-code-council-bcc/bcc-hearing-notices Hearing on: June 13, 2023 Adoption by Agency on: September 12, 2023 Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	☐ State funds affected☐ Local funds affected
	Substantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	No fiscal note required
	ON FOR ACTION
9A. What prompted this action? Check all that apply:	
Agency	Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
☐ Federal statute / cite:☐ Federal regulation / cite:	✓ Petition for rule-making✓ Other:
	B with the current requirements for registered interior designers and is
submitted at the request of the Board of Architecture and Registered Interior Designers	
The delayed effective date of this Rule is January 1, 2025. The Statutory authority for Rule-making is G. S. 143-136; 143-138.	
10. Rulemaking Coordinator: David Bruce Rittlinger	11. Signature of Agency Head* or Rule-making Coordinator:
David B. Rittlinger Phone: (919)647-0008	52.X.576.36=
E-Mail: david.rittlinger@ncdoi.gov	DB BANGE-
	THE PARTY OF THE P
Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to
Phone:	G.S. 143B-10(a), submit a copy of the delegation with this form.
E-Mail:	Typed Name: David Bruce Rittlinger
	Title: (Interim) Deputy commissioner of Engineering & Chief
Code Consultant RRC AND OAH USE ONLY	

1. Rule-Making Agency: NC Building Code Council	
2. Rule citation & name (name not required for repeal): 2024 North Carolina Plumbing Code (230314 Item B-1)	
3. Action:	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
Yes. Cite authority:	☐ Yes. Cite authority:
No ·	No No
6. Notice for Proposed Rule:	
⊠ Notice Required	
Notice of Text published on: May 15, 2023	
Link to Agency notice: https://www.ncosfm.gov/codes/	building-code-council-bcc/bcc-hearing-notices
Hearing on: June 13, 2023	
Adoption by Agency on: September 12, 2023	
Notice not required under G.S.:	
Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
7. Rule establishes of increases a fee: (See G.S. 12-3.1)	
☐ Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	State funds affected
Consultation not required. Cite authority:	Local funds affected
	Substantial economic impact (≥\$1,000,000)
⊠ No	☐ Approved by OSBM
	No fiscal note required
9. REAS	SON FOR ACTION
9A. What prompted this action? Check all that apply:	
☐ Agency	☐ Legislation enacted by the General Assembly
Court order / cite:	Cite Session Law:
Federal statute / cite:	Petition for rule-making
Federal regulation / cite:	☐ Other: e public by updating the code to current standards of prac-tice.
3b. Explain. This amendment is proposed to protect the	e public by appearing the code to current standards of practice.
The delayed effective date of this Rule is January 1, 2025.	
The Statutory authority for Rule-making is G. S. 143-136; 14	13-138.
10. Rulemaking Coordinator: David Bruce Rittlinger	11. Signature of Agency Head* or Rule-making Coordinator:
David B. Rittlinger	Example 1 to 1 to 1
Phone: (919)647-0008	DRD. Alusa
E-Mail: david.rittlinger@ncdoi.gov	2010/10
Additional agency contact, if any:	*If this function has been delegated (reassigned) nursuant to
Phone:	*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.
E-Mail:	Typed Name: David Bruce Rittlinger
	Title: (Interim) Deputy commissioner of Engineering & Chief
	Code Consultant
	D OAH USE ONLY
Action taken:	
RRC extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review	
Other:	

1. Rule-Making Agency: NC Building Code Council	
2. Rule citation & name (name not required for repeal): 2024 North Carolina Residential Code Chapters 1-10, 25-33, 45, 46 and Appendices (230314 Item B-4)	
3. Action: ☑ ADOPTION □ AMENDMENT □ REPEAL □	READOPTION REPEAL through READOPTION
4. Rule exempt from RRC review?	5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:	☐ Yes. Cite authority:
⊠ No	⊠ No
6. Notice for Proposed Rule:	
Notice Required Notice of Text published on: May 15, 2023 Link to Agency notice: https://www.ncosfm.gov/codes/building-code-council-bcc/bcc-hearing-notices	
Hearing on: June 13, 2023 Adoption by Agency on: September 12, 2023 Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1)	8. Fiscal impact. Check all that apply.
Yes	☐ This Rule was part of a combined analysis.
Agency submitted request for consultation on:	
Consultation not required. Cite authority:	State funds affected Local funds affected
	Substantial economic impact (≥\$1,000,000)
⊠ No	Approved by OSBM
	No fiscal note required
9A. What prompted this action? Check all that apply: Agency Court order / cite: Federal statute / cite: Federal regulation / cite: BEXPlain: This amendment is proposed to protect the public by updating the code to current standards of practice. The delayed effective date of this Rule is January 1, 2025. The Statutory authority for Rule-making is G. S. 143-136; 143-138.	
10. Rulemaking Coordinator: David Bruce Rittlinger	11. Signature of Agency Head* or Rule-making Coordinator:
David B. Rittlinger Phone: (919)647-0008 E-Mail: david.rittlinger@ncdoi.gov	DB BANGE-
Additional agency contact, if any:	*If this function has been delegated (reassigned) pursuant to
Phone:	G.S. 143B-10(a), submit a copy of the delegation with this form.
E-Mail:	Typed Name: David Bruce Rittlinger Title: (Interim) Deputy commissioner of Engineering & Chief
	Code Consultant
RRC AND OAH USE ONLY	
Action taken: RRC extended period of review:	
RRC determined substantial changes:	
Withdrawn by agency	
Subject to Legislative Review Other:	