
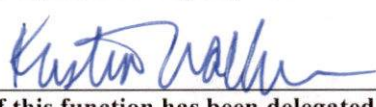


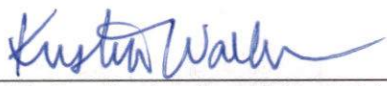
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Office of State Budget and Management	
2. Rule citation & name (name not required for repeal): 09 NCAC 03M .0101 Purpose	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: October 16, 2023 Link to Agency notice: https://www.osbm.nc.gov/news/events/public-comment-and-hearing-proposed-amendments-state-grant-rules Hearing on: November 9, 2023 Adoption by Agency on: January 10, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: These rules govern administration of State awards to non-state entities. The rule changes improve clarity for grantees, streamline reporting requirements for agencies, and reduce time burden on OSBM and agency staff. The changes should result in improved compliance with reporting requirements and more effective stewardship of State funds.	
10. Rulemaking Coordinator: Scarlett Hargis Phone: 919-814-2025 E-Mail: scarlett.hargis@nc.gov Additional agency contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;">  <hr style="width: 80%; margin: 0 auto;"/> </div> *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: Kristin Walker Title: State Budget Director
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	


SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Office of State Budget and Management	
2. Rule citation & name (name not required for repeal): 09 NCAC 03M .0102 Definitions	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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<div style="text-align: center;">9. REASON FOR ACTION</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 48%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> <p>9B. Explain: These rules govern administration of State awards to non-state entities. The rule changes improve clarity for grantees, streamline reporting requirements for agencies, and reduce time burden on OSBM and agency staff. The changes should result in improved compliance with reporting requirements and more effective stewardship of State funds.</p>	
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Office of State Budget and Management	
2. Rule citation & name (name not required for repeal): 09 NCAC 03M .0201 Allowable Uses of Grants	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Office of State Budget and Management	
2. Rule citation & name (name not required for repeal): 09 NCAC 03M .0202 Recipient and Subrecipient Responsibilities	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Office of State Budget and Management	
2. Rule citation & name (name not required for repeal): 09 NCAC 03M .0205 Minimum Reporting Requirements for Recipients and Subrecipients	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Office of State Budget and Management	
2. Rule citation & name (name not required for repeal): 09 NCAC 03M .0401 Agency Responsibilities	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Office of State Budget and Management	
2. Rule citation & name (name not required for repeal): 09 NCAC 03M .0601 Office of State Budget and Management Responsibilities	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Office of State Budget and Management	
2. Rule citation & name (name not required for repeal): 09 NCAC 03M .0703 Required Contract Provisions	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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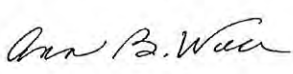
SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Office of State Budget and Management	
2. Rule citation & name (name not required for repeal): 09 NCAC 03M .0801 Noncompliance With Rules	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Office of State Budget and Management	
2. Rule citation & name (name not required for repeal): 09 NCAC 03M .0802 Recovery of State Funds	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: October 16, 2023 Link to Agency notice: https://www.osbm.nc.gov/news/events/public-comment-and-hearing-proposed-amendments-state-grant-rules Hearing on: November 9, 2023 Adoption by Agency on: January 10, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: These rules govern administration of State awards to non-state entities. The rule changes improve clarity for grantees, streamline reporting requirements for agencies, and reduce time burden on OSBM and agency staff. The changes should result in improved compliance with reporting requirements and more effective stewardship of State funds.	
10. Rulemaking Coordinator: Scarlett Hargis Phone: 919-814-2025 E-Mail: scarlett.hargis@nc.gov Additional agency contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;">  <hr style="width: 80%; margin: 0 auto;"/> </div> *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: Kristin Walker Title: State Budget Director
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0101 - SCOPE	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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10. Rulemaking 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	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <hr style="width: 80%; margin: 10px auto;"/> <p><small>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</small></p> <p>Typed Name: Ann B. Wall Title: General Counsel and Rulemaking Coordinator</p>
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

These adopted rules are the first of three rulemaking tranches that the Department of the Secretary of State (Department) is required to undertake in order to implement and interpret the Remote Electronic Notarization Act (RENA), effective on July 8, 2022, S.L. 2022-54. RENA was modified on June 23, 2023 by S.L. 2023-57 and on September 28, 2023 by S.L. 2023-124.

RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. 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, health-care, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

RENA goes further to allow 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.

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 performing in-person notarizations, and eNotaries performing remote electronic notarial acts.

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

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

G.S. 10B-4 provides authority for the Department to promulgate rules addressing all aspects of the notary public program. Separately, G.S. 150B-21.3A requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. The existing notary rules are scheduled for decadal review by RRC in September 2024. Therefore, the first set of adopted rules, together with this second set of adopted rules, is undertaken to satisfy the mandates found in both RENA and G.S. 150B-21.3A.

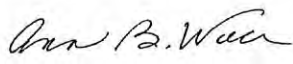
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This second set of rules focuses on amending and repealing existing rules, as well as adopting new rules dealing with general matters, rules related to commissioning, recommissioning, and continuing obligations of notaries public, and certification of notary instructors. 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 7200 hours in connection with the rulemaking efforts related to RENA. 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 statutorily mandated duties.

1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0102 - DEFINITIONS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
10. Rulemaking 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	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;"></div> <hr style="width: 80%; margin: 5px auto;"/> *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: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

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- To prevent fraud and forgery,
- To foster ethical conduct among notaries,
- To enhance interstate recognition of notarial acts, and
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0103 - OPERATING HOURS AND GENERAL CONTACT INFORMATION	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2023 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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9B. Explain: See attachment for explanation	
10. Rulemaking 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	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: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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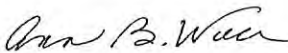
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0104 - ADA ACCOMMODATION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0105 - OBTAINING REQUESTED INFORMATION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: <i>See attachment for explanation</i>	
10. Rulemaking 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	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <hr style="width: 80%; margin: 10px auto;"/> *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: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0106 - WAIVER	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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11/19/24

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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0107 - CONTENTS OF WAIVER REQUEST	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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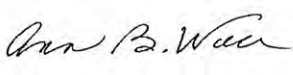
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2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0108 - FACTORS USED IN CONSIDERING WAIVER REQUESTS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0109 - COMPUTATION OF TIME PERIODS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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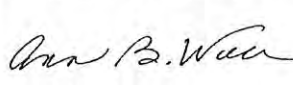
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0110 - REQUEST TO DEPARTMENT FOR CONFIDENTIAL INFORMATION	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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9B. Explain: See attachment for explanation	
10. Rulemaking 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	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
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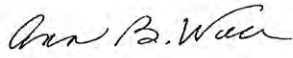
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0407 - INITIAL APPLICATION FOR NOTARY COMMISSION FORM	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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11/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0408 - AFFIDAVIT OF MORAL CHARACTER	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
10. Rulemaking 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	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: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

These adopted rules are the first of three rulemaking tranches that the Department of the Secretary of State (Department) is required to undertake in order to implement and interpret the Remote Electronic Notarization Act (RENA), effective on July 8, 2022, S.L. 2022-54. RENA was modified on June 23, 2023 by S.L. 2023-57 and on September 28, 2023 by S.L. 2023-124.

RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. 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, health-care, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

RENA goes further to allow 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.

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 performing in-person notarizations, and eNotaries performing remote electronic notarial acts.

The Department has adopted rules that, together with the other two sets of rules, 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:

- Mental incapacity of the principal;
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By enhancing reliability, the Secretary facilitates economic growth while reducing costly and avoidable litigation.


G.S. 10B-4 provides authority for the Department to promulgate rules addressing all aspects of the notary public program. Separately, G.S. 150B-21.3A requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. The existing notary rules are scheduled for decadal review by RRC in September 2024. Therefore, the first set of adopted rules, together with this second set of adopted rules, is undertaken to satisfy the mandates found in both RENA and G.S. 150B-21.3A.

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The Department has to date expended in excess of 7200 hours in connection with the rulemaking efforts related to RENA. 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 statutorily mandated duties.

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0409 - APPLICATION FOR RECOMMISSIONING AS NOTARY PUBLIC	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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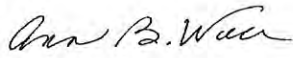
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0410 - NOTICE OF CHANGES REQUIRED BY 18 NCAC 07D .0301	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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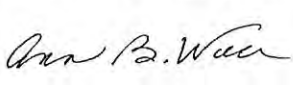
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2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0411 - NOTICE OF CHANGES REGARDING CRIMINAL HISTORY RECORD	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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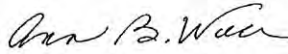
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0412 - NOTICE OF CHANGES REGARDING PROFESSIONAL LICENSES, NOTARY COMMISSIONS, OR PUBLIC OFFICES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: See attachment for explanation	
10. Rulemaking 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	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <hr style="width: 80%; margin: 10px auto;"/> *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: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

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Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

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- To prevent fraud and forgery,
- To foster ethical conduct among notaries,
- To enhance interstate recognition of notarial acts, and
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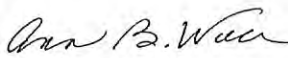
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0413 - NOTICE OF CHANGES REGARDING FINDINGS OR ADMISSIONS OF DECEIT, OFFICIAL MISCONDUCT, FALSE OR MISLEADING ADVERTISING, OR UNAUTHORIZED PRACTICE OF LAW	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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9. REASON FOR ACTION	
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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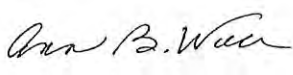
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SUBMISSION FOR PERMANENT RULE

ORIGINAL
11/9/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0414 - APPLICATION FOR CERTIFICATION AS NOTARY INSTRUCTOR	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0415 - RECOMMENDATION OF NOTARY INSTRUCTOR APPLICANT	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0416 - EMPLOYER AFFIDAVIT REGARDING INSTRUCTOR APPLICANT ACTIVE EXPERIENCE FORM	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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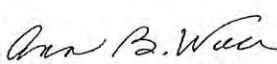
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0417 - STUDENT EVALUATION OF NOTARY INSTRUCTOR FORM	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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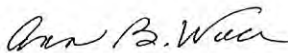
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2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0418 - APPLICATION FOR RECERTIFICATION AS NOTARY INSTRUCTOR	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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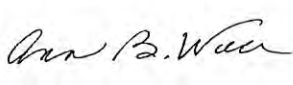
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0501 - CRIMES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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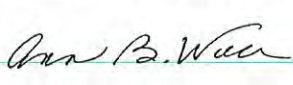
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0502 - ADDITIONAL REQUIREMENTS FOR AN INDIVIDUAL LISTING CONVICTIONS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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1/19/24

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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0503 - EXPLANATION OF CONVICTIONS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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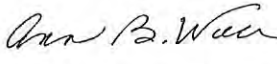
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2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0504 - ADDITIONAL DOCUMENTATION FOR CONVICTIONS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
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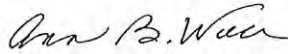
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11/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0505 - REQUIREMENTS FOR INDIVIDUAL WITH PENDING CRIMINAL CHARGES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
10. Rulemaking 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	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: <input type="checkbox"/> RRC extended period of review; <input type="checkbox"/> RRC determined substantial changes; <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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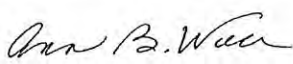
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11/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0506 - NOTICE TO DEPARTMENT OF DISPOSITION OF PENDING CHARGE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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RRC AND OAH USE ONLY	
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/20/2024

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0601 - FACTORS FOR DISCIPLINARY ACTIONS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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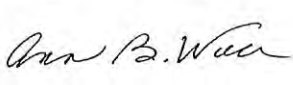
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0602 - DENIALS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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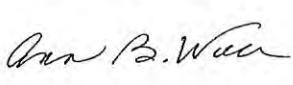
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0603 - LEVELS OF ENFORCEMENT	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<p style="text-align: center;">9. REASON FOR ACTION</p> <p>9A. What prompted this action? Check all that apply:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> <p>9B. Explain: See attachment for explanation</p>	
10. Rulemaking 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	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
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

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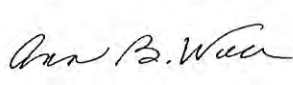
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0604 - LETTER OF CAUTION	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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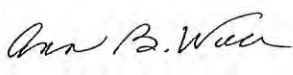
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0605 - WARNING	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
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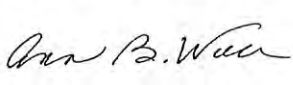
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0606 - SUSPENSION	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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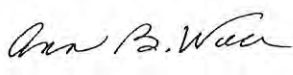
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0607 - RESTRICTION	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0608 - MANDATORY REVOCATION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/>
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7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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11/9/24

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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0701 - GENERAL	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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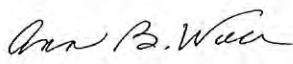
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2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0702 - REQUIREMENTS REGARDING PROFESSIONAL LICENSES AND NOTARIAL COMMISSIONS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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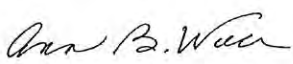
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0703 - DISCIPLINARY ACTION INVOLVING A PROFESSIONAL LICENSE OR NOTARY COMMISSION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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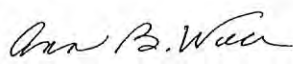
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0704 - PUBLIC OFFICES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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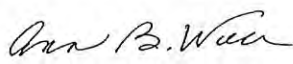
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1/19/24

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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0705 - DENIALS OF PUBLIC OFFICES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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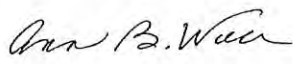
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0706 - RESIGNATIONS FROM PUBLIC OFFICES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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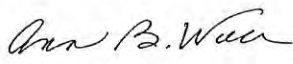
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07B .0707 - DISCIPLINARY ACTION INVOLVING A PUBLIC OFFICE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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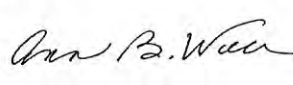
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0101 - SCOPE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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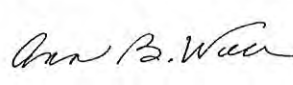
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2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0102 - DEFINITIONS RELATED TO APPLICATION AND RECOMMISSIONING PROCESS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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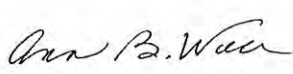
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0201- INITIAL APPLICATION	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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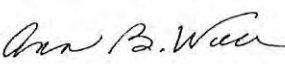
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0202 - TIMING	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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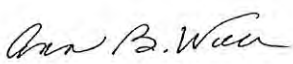
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0203 - REQUIREMENTS FOR APPLICANTS RESIDING OUTSIDE NORTH CAROLINA	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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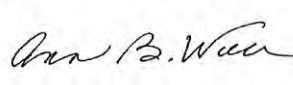
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0204 - ADDITIONAL REQUIREMENTS FOR APPLICANTS LISTING CONVICTIONS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. 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, health-care, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

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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,
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- 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.

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 performing in-person notarizations, and eNotaries performing remote electronic notarial acts.

The Department has adopted rules that, together with the other two sets of rules, 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:

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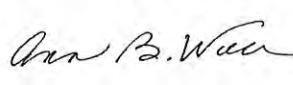
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0205 - REQUIREMENTS FOR APPLICANT WITH PENDING CRIMINAL CHARGES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
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RRC AND OAH USE ONLY	
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Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

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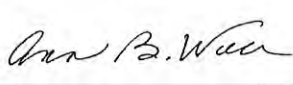
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0206 - REQUIREMENTS FOR APPLICANTS REGARDING PROFESSIONAL LICENSES, NOTARIAL COMMISSIONS, AND PUBLIC OFFICES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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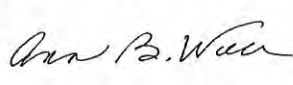
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1/19/24

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2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0207 - FINDINGS OR ADMISSIONS OF LIABILITY BASED ON THE APPLICANT'S DECEIT	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0208 - FINDINGS THAT THE APPLICANT ENGAGED IN OFFICIAL MISCONDUCT	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
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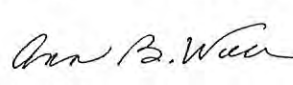
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0209 - FINDING OF UNAUTHORIZED PRACTICE OF LAW	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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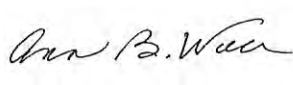
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0210 - FINDING OF FALSE OR MISLEADING ADVERTISING	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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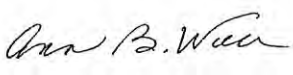
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2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0301 - COURSES TAUGHT BY CERTIFIED NOTARY INSTRUCTORS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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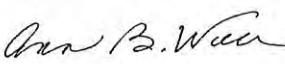
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0302 - NOTARY COURSES TAKEN BY FORMERLY COMMISSIONED NOTARIES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input checked="" type="checkbox"/> Legislation enacted by the General Assembly <input type="checkbox"/> Court order / cite: Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Other: 9B. Explain: See attachment for explanation	
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

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

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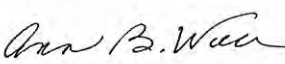
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0303 - PRESENTATION OF SATISFACTORY EVIDENCE OF IDENTITY IN CONNECTION WITH NOTARY COURSE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
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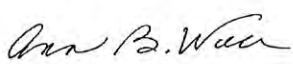
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1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0304 - SATISFACTORY EVIDENCE PRESENTED TO INSTRUCTOR	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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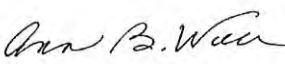
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0305 - RETESTING	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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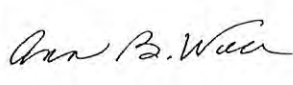
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0401 - APPOINTMENT	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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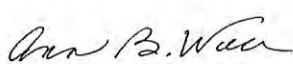
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0402 - ISSUANCE OF CERTIFICATES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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10. Rulemaking 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	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
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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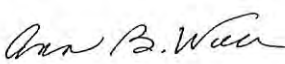
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1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0403 - NOTICE TO APPOINTEE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0404 - COMMISSION CERTIFICATE	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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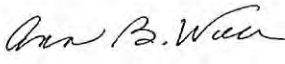
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0405 - SATISFACTORY EVIDENCE OF IDENTITY	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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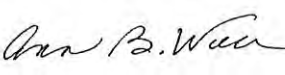
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0406 - REGISTER OF DEEDS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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RRC AND OAH USE ONLY	
<p>Action taken:</p> <div style="margin-top: 10px;"> <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: </div>	

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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0407 - PERFORMING TRADITIONAL NOTARIAL ACTS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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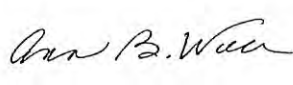
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SUBMISSION FOR PERMANENT RULE

ORIGINAL
1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0409 - TERM OF COMMISSION	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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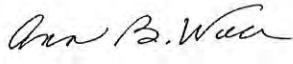
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0410 - TERM OF REAPPOINTMENT COMMISSION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input checked="" type="checkbox"/> Legislation enacted by the General Assembly <input type="checkbox"/> Court order / cite: Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Other: 9B. Explain: See attachment for explanation	
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0411 - NOTARIAL ACTS PROHIBITED DURING GAPS BETWEEN COMMISSION TERMS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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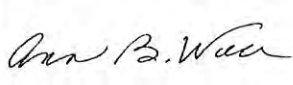
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1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0502 - LATE APPLICATION	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0504 - APPLICATION AFTER RECOMMISSIONING DENIAL BASED ON FAILING EXAM	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

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- 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.

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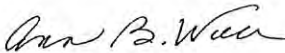
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0505 - APPLICATION FOR RECOMMISSIONING WITHIN 12 MONTHS OF COMMISSION EXPIRATION OR PURSUANT TO G.S. 10B-53	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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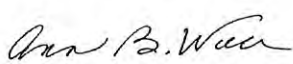
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0506 - RECOMMISSIONING EDUCATIONAL REQUIREMENT	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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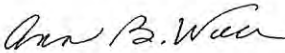
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1/19/24

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2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0507 - APPLICATION FOR RECOMMISSIONING MORE THAN 12 MONTHS AFTER COMMISSION EXPIRATION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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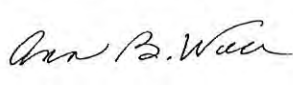
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0508 - CANCELLATION OF COMMISSION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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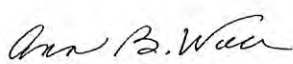
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0509 - RESCIND CANCELLATION OF CERTIFICATE OF APPOINTMENT	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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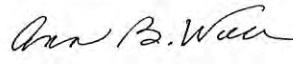
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0510 - CONFIRMATION OF NOTARY STATUS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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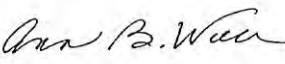
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ORIGINAL

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0601 - APPLICATION STEPS FOR RECOMMISSIONING	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
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<div style="text-align: center;">9. REASON FOR ACTION</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: 9B. Explain: See attachment for explanation </div> <div style="width: 48%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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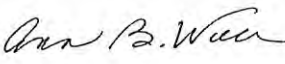
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0602 - METHOD OF TAKING RECOMMISSIONING EXAM	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
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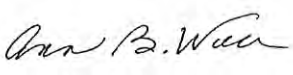
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0603 - COURSE AS ALTERNATIVE TO RECOMMISSIONING EXAM	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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<p style="text-align: center;">9. REASON FOR ACTION</p> <p>9A. What prompted this action? Check all that apply:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> <p>9B. Explain: See attachment for explanation</p>	
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RRC AND OAH USE ONLY	
<p>Action taken:</p> <div style="margin-top: 10px;"> <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: </div>	

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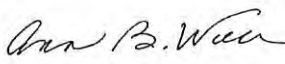
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0604 - EXAM LENGTH AND PASSING SCORE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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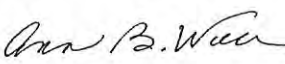
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0605 - RETAKING RECOMMISSIONING EXAM AFTER FAILURE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

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Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

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- 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.

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 performing in-person notarizations, and eNotaries performing remote electronic notarial acts.

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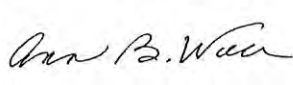
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0606 - FAILURE TO PASS EXAM WITHIN 30 DAYS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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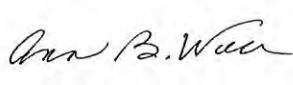
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0607 - INDIVIDUAL WHO FAILS TO SEEK RECOMMISSIONING WITHIN ONE YEAR	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0701 - ATTORNEY APPLICATION FOR INITIAL APPOINTMENT	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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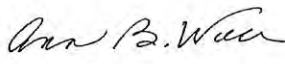
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0702 - RECOMMISSIONING OF ATTORNEY NOTARIES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: See attachment for explanation	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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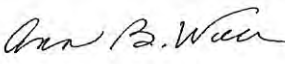
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0703 - ATTORNEYS WHO FAIL TO TAKE NOTARIAL OATH TIMELY	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
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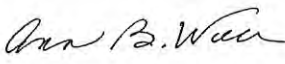
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07C .0704 - ATTORNEYS SEEKING REGISTRATION OR REREGISTRATION AS ELECTRONIC NOTARIES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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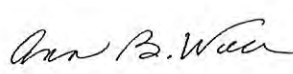
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ORIGINAL

ps 1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07D .0101 - SCOPE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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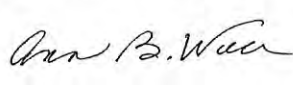
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

DS 1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07D .0102 - RESPONSE TO DEPARTMENT REQUESTS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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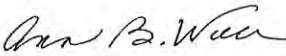
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07D .0103 - EXTENSION REQUEST TO DEPARTMENT	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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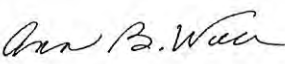
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07D .0104 - DEPARTMENT RESPONSE TO EXTENSION REQUEST	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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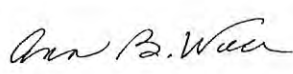
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07D .0301 - OBLIGATIONS TO GIVE NOTICE OF CHANGES IN PRIMARY INFORMATION	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

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

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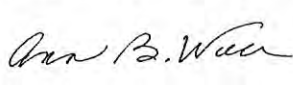
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07D .0302 - NOTICE TO DEPARTMENT OF PENDING CRIMINAL CHARGES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/20/2024

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07D .0303 - NOTICE TO DEPARTMENT OF CRIMINAL CHARGE DISPOSITION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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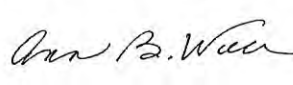
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07D .0304 - NOTICE TO DEPARTMENT OF FINDINGS OR ADMISSIONS OF DECEIT	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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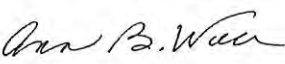
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07D .0305 - NOTICE TO DEPARTMENT OF CHANGES TO PROFESSIONAL LICENSES NOTARY COMMISSIONS OR PUBLIC OFFICES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

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RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. 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, health-care, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

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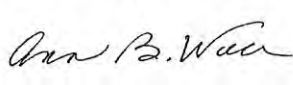
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07D .0306 - NOTICE TO DEPARTMENT OF OFFICIAL MISCONDUCT	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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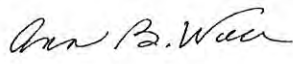
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07D .0307 - NOTICE TO DEPARTMENT OF FALSE OR MISLEADING ADVERTISING	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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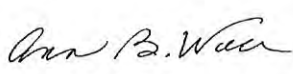
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07D .0308 - NOTICE TO DEPARTMENT REGARDING UNAUTHORIZED PRACTICE OF LAW	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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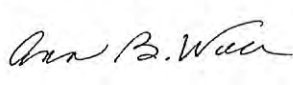
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0101 - INSTRUCTOR CERTIFICATION – SCOPE AND DEFINITIONS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
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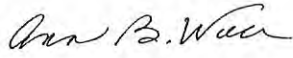
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1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0102 - CONDITIONS FOR BECOMING NOTARY INSTRUCTOR	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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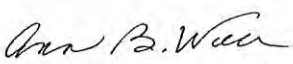
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2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0103 - NOMINATION BY ELIGIBLE INSTITUTION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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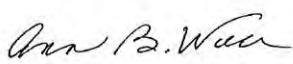
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3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0105 - GENERAL REQUIREMENTS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/20/2024

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0106 - MANDATORY DEPARTMENT DENIAL OF INSTRUCTOR APPLICATION	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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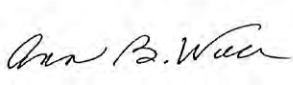
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2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0107- DEPARTMENT REJECTION OF APPLICATIONS	
3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input checked="" type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
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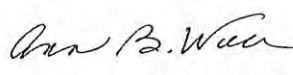
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0108 - VERIFICATION THAT INSTRUCTOR APPLICANT CONTINUES TO MEET REQUIREMENTS FOR A NOTARY COMMISSION	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (\geq \$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

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RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. 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, health-care, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

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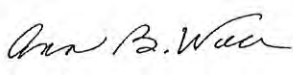
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0109 - CHANGE IN INSTRUCTOR'S ELIGIBLE INSTITUTION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0111 - OTHER VERIFICATIONS	
3. Action: <input type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input checked="" type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0112 - RECOMMENDATIONS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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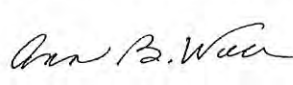
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0113 - INSTRUCTORS AS REGISTERED ELECTRONIC NOTARIES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
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RRC AND OAH USE ONLY	
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ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

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- To enhance interstate recognition of notarial acts, and
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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 performing in-person notarizations, and eNotaries performing remote electronic notarial acts.

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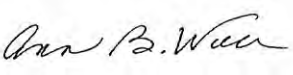
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0201 - EVIDENCE OF ACTIVE EXPERIENCE AS A NOTARY	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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9B. Explain: See attachment for explanation	
10. Rulemaking 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	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 20px;">  </div> <hr style="width: 80%; margin: 10px auto;"/> *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
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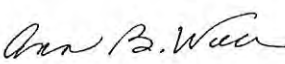
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1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0202 - JOURNAL AS EVIDENCE OF ACTIVE EXPERIENCE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
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1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0204 - MINIMUM CONTENTS OF NOTARY JOURNAL SUBMITTED AS EVIDENCE OF EXPERIENCE	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
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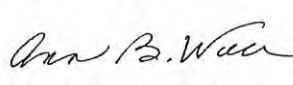
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0205 - EMPLOYER AFFIDAVIT AS EVIDENCE OF EXPERIENCE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

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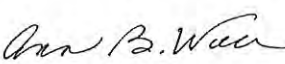
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0206 - EMPLOYER AFFIDAVIT REGARDING NOTARIAL ACTS FOR EMPLOYER	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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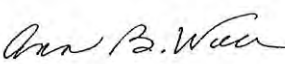
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0207 - EMPLOYER AFFIDAVIT MAY INCLUDE RECOMMENDATION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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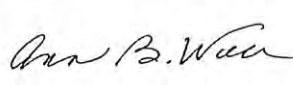
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2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0209 - SUBMITTAL OF EMPLOYER AFFIDAVIT AS EVIDENCE OF EXPERIENCE	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

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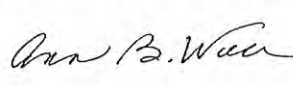
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0212 - ALTERNATIVE AFFIDAVITS AS EVIDENCE OF EXPERIENCE	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: See attachment for explanation	
10. Rulemaking 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	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: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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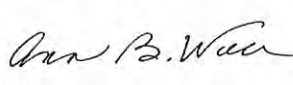
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0213 - AFFIDAVIT OF EXPERIENCE FROM NONFAMILY MEMBER	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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<p style="text-align: center;">9. REASON FOR ACTION</p> <p>9A. What prompted this action? Check all that apply:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> <p>9B. Explain: See attachment for explanation</p>	
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RRC AND OAH USE ONLY	
<p>Action taken:</p> <div style="display: flex; flex-direction: column; gap: 5px;"> <input type="checkbox"/> RRC extended period of review; <input type="checkbox"/> RRC determined substantial changes; <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other: </div>	

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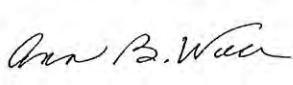
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0214 - ALTERNATIVE EVIDENCE AFFIDAVIT FROM INSTRUCTOR APPLICANT	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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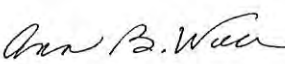
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0301 - INSTRUCTOR COURSE REQUIREMENT	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
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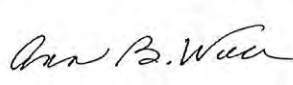
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0302 - NOTARY INSTRUCTOR CERTIFICATION AND RECERTIFICATION EXAM PASSING SCORE	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
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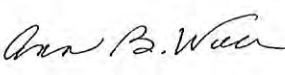
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0303 - ORAL PRESENTATION REQUIREMENT FOR INSTRUCTOR APPLICANT	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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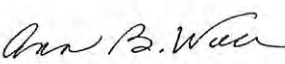
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0304 - NOTARY INSTRUCTOR ORAL PRESENTATION PASSING SCORE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
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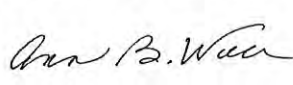
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0306 - FACTORS RELATING TO VOICE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<p style="text-align: center;">9. REASON FOR ACTION</p> <p>9A. What prompted this action? Check all that apply:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> <p>9B. Explain: See attachment for explanation</p>	
10. Rulemaking Coordinator: Ann B. Wall Phone: 919-814-5310 E-Mail: avall@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:  <hr/> *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: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

These adopted rules are the first of three rulemaking tranches that the Department of the Secretary of State (Department) is required to undertake in order to implement and interpret the Remote Electronic Notarization Act (RENA), effective on July 8, 2022, S.L. 2022-54. RENA was modified on June 23, 2023 by S.L. 2023-57 and on September 28, 2023 by S.L. 2023-124.

RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. 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, health-care, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

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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.

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 performing in-person notarizations, and eNotaries performing remote electronic notarial acts.

The Department has adopted rules that, together with the other two sets of rules, 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:

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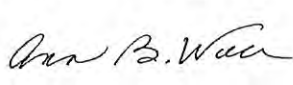
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0307 - FACTORS RELATING TO VERBAL SKILL	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
10. Rulemaking 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	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: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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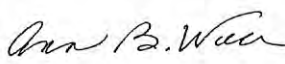
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0308 - FACTORS RELATING TO PHYSICAL APPEARANCE AND MANNERISMS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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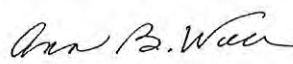
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1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0309 - FACTORS RELATING TO PROFESSIONAL QUALITIES OF THE INSTRUCTOR	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
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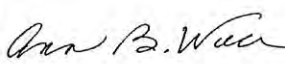
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0310 - FACTORS RELATING TO SELECTION AND USE OF TRAINING AIDS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 48%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

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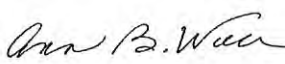
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0311 - FACTORS RELATING TO SEQUENCE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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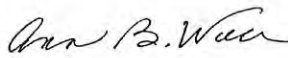
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0312 - FACTORS RELATING TO EMPHASIS, EXAMPLES, AND SUMMARIZATION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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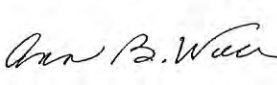
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2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0401 - RETAKING WRITTEN CERTIFICATION OR RECERTIFICATION EXAM	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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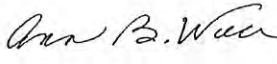
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0402 - CONSEQUENCE OF FAILING TO PASS WRITTEN INSTRUCTOR EXAM	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0403 - SCHEDULING ADDITIONAL ORAL PRESENTATION UPON FAILURE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0404 - REPEAT ORAL PRESENTATION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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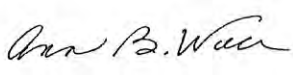
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0405 - EVALUATION OF REPEAT ORAL PRESENTATION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
10. Rulemaking 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	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: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0406 - CONSEQUENCE OF FAILING TO PASS SECOND ORAL PRESENTATION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0407 - CONSEQUENCES OF FAILING TO RECERTIFY	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/20/2024

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0601 - MINIMUM INSTRUCTIONAL DUTIES OF CERTIFIED NOTARY INSTRUCTORS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
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SUBMISSION FOR PERMANENT RULE

1/19/24
ORIGINAL

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0602 - ADHERENCE TO CURRICULUM	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
10. Rulemaking Coordinator: Ann B. Wall Phone: 919-814-5310 E-Mail: avall@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: <div style="text-align: center;"></div> <hr/> *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: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

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- To enhance interstate recognition of notarial acts, and
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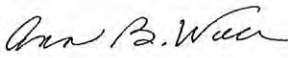
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1/19/24

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0603 - PROCTORING EXAM	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0604 - SUBMISSION OF GRADES TO DEPARTMENT	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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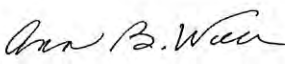
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0605 - REPORTING SUSPECTED CHEATING	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0701 - RESPONSE TO COMPLAINTS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: 9B. Explain: See attachment for explanation	
10. Rulemaking 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	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: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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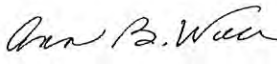
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0702 - INSTRUCTOR CONDUCT	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: See attachment for explanation	
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0801 - REQUEST FOR VARIANCE FROM APPROVED INSTRUCTIONAL AIDS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
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9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

11/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0802 - VARIANCE REQUEST - EXEMPLAR REQUIRED	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

ATTACHMENT: Explanation for Form 0400 Submission for Permanent Rule

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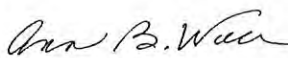
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0803 - VARIANCE REQUEST - EXPLANATION OF VALUE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
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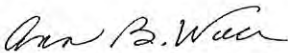
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0804 - VARIANCE REQUEST – APPROVAL CRITERIA	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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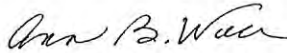
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0901 - PREREQUISITE FOR INSTRUCTOR APPLICATION SIGNATURE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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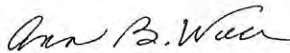
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1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0902 - INSTRUCTOR VERIFICATION OF STUDENT NAME	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
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RRC AND OAH USE ONLY	
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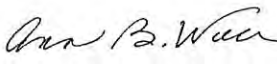
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0903 - RETESTING STUDENTS WHO FAIL NOTARY COURSE EXAM	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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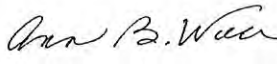
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .0904 - NOTICE TO DEPARTMENT OF RETESTING	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .1001 - STUDENT EVALUATIONS OF INSTRUCTORS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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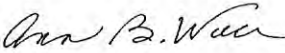
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .1002 - DEPARTMENTAL USE OF STUDENT EVALUATIONS	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
<div style="text-align: center;">9. REASON FOR ACTION</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> 9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
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RRC AND OAH USE ONLY	
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- To simplify, clarify, and modernize the law governing notaries,
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- 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.

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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .1101 - INELIGIBILITY FOR RECERTIFICATION AS NOTARY INSTRUCTOR	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: See attachment for explanation	
10. Rulemaking 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	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
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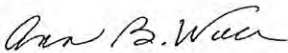
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .1102 - NOTARY PUBLIC INSTRUCTOR RECERTIFICATION REQUIREMENTS	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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SUBMISSION FOR PERMANENT RULE

ORIGINAL

1/20/2024

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .1103 - NOTARY INSTRUCTOR CERTIFICATION EQUIVALENCE	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTIOIN <input type="checkbox"/> REPEAL through READOPTIOIN	
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SUBMISSION FOR PERMANENT RULE

ORIGINAL
1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .1104 - NOTARY INSTRUCTOR RECERTIFICATION COURSE ORAL PRESENTATION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
10. Rulemaking 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	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center;"></div> <hr/> *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
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Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .1105 - NOTARY INSTRUCTOR WITH LAPSE IN CERTIFICATION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .1202 - APPLICATION DENIAL – FAILURE TO NOTIFY DEPARTMENT OF CHANGES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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1/19/24

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2. Rule citation & name (name not required for repeal): 18 NCAC 07E .1203 - APPLICATION DENIAL – TERMINATION FOR CAUSE	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
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RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. 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, health-care, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

RENA goes further to allow 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.

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 performing in-person notarizations, and eNotaries performing remote electronic notarial acts.

The Department has adopted rules that, together with the other two sets of rules, 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:

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

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

G.S. 10B-4 provides authority for the Department to promulgate rules addressing all aspects of the notary public program. Separately, G.S. 150B-21.3A requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. The existing notary rules are scheduled for decadal review by RRC in September 2024. Therefore, the first set of adopted rules, together with this second set of adopted rules, is undertaken to satisfy the mandates found in both RENA and G.S. 150B-21.3A.

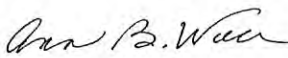
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This second set of rules focuses on amending and repealing existing rules, as well as adopting new rules dealing with general matters, rules related to commissioning, recommissioning, and continuing obligations of notaries public, and certification of notary instructors. 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 7200 hours in connection with the rulemaking efforts related to RENA. 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 statutorily mandated duties.

SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .1204 - APPLICATION DENIAL – FAILURE TO SUBMIT EXAM GRADES	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: November 1, 2023, 38 NCR 09, pp. 549 - 580 Link to Agency notice: https://sosnc.gov/divisions/general_counsel/open_rulemaking_phase_two_rulemaking Hearing on: November 28, 2023 Adoption by Agency on: January 16, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION 9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div> 9B. Explain: See attachment for explanation	
10. Rulemaking Coordinator: Ann B. Wall Phone: 919-814-5310 E-Mail: avall@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: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

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RENA primarily amends Article 2 of Chapter 10B of the NC General Statutes, the Notary Public Act. 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, health-care, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

Notaries establish the identity of persons – principals – who are engaged in important acts such as taking oaths and signing documents. This identification process reduces the likelihood of fraud, forgery and contract repudiation. The Notary Public Act (the Act) sets requirements to become a traditional notary public, who is 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). 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. Like a traditional notary, before the RENA amendments an eNotary could perform notarial acts with electronic documents only during an in-person meeting.

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- To simplify, clarify, and modernize the law governing notaries,
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G.S. 10B-4 provides authority for the Department to promulgate rules addressing all aspects of the notary public program. Separately, G.S. 150B-21.3A requires all state agencies to review existing rules every ten years in accordance with a prescribed process that includes rule readoption. The existing notary rules are scheduled for decadal review by RRC in September 2024. Therefore, the first set of adopted rules, together with this second set of adopted rules, is undertaken to satisfy the mandates found in both RENA and G.S. 150B-21.3A.

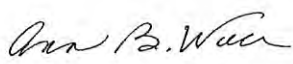
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SUBMISSION FOR PERMANENT RULE

1/19/24

1. Rule-Making Agency: Department of the Secretary of State	
2. Rule citation & name (name not required for repeal): 18 NCAC 07E .1205 - APPLICATION DENIAL – DISCIPLINARY ACTION	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL through READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input checked="" type="checkbox"/> This Rule was part of a combined analysis. <input checked="" type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input checked="" type="checkbox"/> Approved by OSBM <input type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input checked="" type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: S.L. 2022-54 ; S.L. 2023-57; S.L. 2023-124 <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
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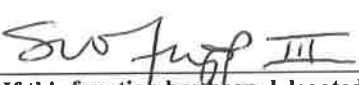
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Board of Examiners for Engineers and Surveyors	
2. Rule citation & name (name not required for repeal): 21 NCAC 56 .0502 Application Procedure: Individual	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL THROUGH READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: September 27, 2023 Link to Agency notice: https://www.ncbels.org/news/official-notice-proposed-rule-changes/ Hearing on: November 15, 2023 Adoption by Agency on: January 17, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: </div> <div style="width: 45%;"> <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other: </div> </div>	
9B. Explain: Reflects changes to G.S. 89C-3 [S.L. 2013-98 s. 1] from "Engineering Intern" to "Engineer Intern." Reflects changes to G.S. 89C-13 and 15(b) [S.L. 2013-98] for computer-based testing. Applicants no longer apply to the Board to take the Fundamentals Exam, but can apply to be certified as an Intern after passing the exam. 21 NCAC 56 .0502, .0602 – Changes, for the principles and practices exam, from two to three references who must be licensed.	
10. Rulemaking Coordinator: S. Wesley Tripp, III S. Wesley Tripp, III Phone: 919-791-2000 ext. 111 E-Mail: wtripp@ncbels.org Additional agency contact, if any: Phone: E-Mail:	11. Signature of Agency Head* or Rule-making Coordinator: <div style="text-align: center; margin-top: 10px;">  <hr style="width: 100%;"/> </div> *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: S. Wesley Tripp, III Title: Rule-making Coordinator/Board Counsel
RRC AND OAH USE ONLY	
Action taken: <input type="checkbox"/> RRC extended period of review: <input type="checkbox"/> RRC determined substantial changes: <input type="checkbox"/> Withdrawn by agency <input type="checkbox"/> Subject to Legislative Review <input type="checkbox"/> Other:	

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: Board of Examiners for Engineers and Surveyors	
2. Rule citation & name (name not required for repeal): 21 NCAC 56 .0701 Rules of Professional Conduct	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READoption <input type="checkbox"/> REPEAL THROUGH READoption	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
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9B. Explain: The rules of professional conduct need to be revised to reflect the current practice in the profession and the amendment narrows the scope of activities governed by the Rule to focus on core requirements of responsible charge and not ancillary activities. In addition, the revised rule change will be consistent with the model rules of the National Council of Examiners for Engineers and Surveying.	
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SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: NC Building Code Council	
2. Rule citation & name (name not required for repeal): 2024 North Carolina Energy Conservation Code (221213 Item B-6)	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: September 15, 2023 in NC Register, August 28, 2023 agency website Link to Agency notice: https://www.ncosfm.gov/231017-notice1hearing Hearing on: October 17, 2023 Adoption by Agency on: December 12, 2023 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
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9B. Explain: This amendment is proposed to protect the public by updating the code to current standards of practice. A fiscal note has been prepared per N.C.G.S. 143-138 (a1)(1) and was approved by OSBM on 8/21/23. OSBM has determined the amendments may have substantial economic impacts and impacts to local government with a potential for savings over time. No additional construction costs are anticipated for the commercial provisions. Increases in construction costs are anticipated for the residential provisions. The construction costs of dwellings regulated by this proposal exceeds \$80 per dwelling unit. State funds will not be affected. Local funds will be affected. Life-Cycle Cost savings are anticipated for both the commercial and residential provisions. A cost benefit analysis per N.C.G.S. 143-138 (a1)(2) has been prepared and was completed on 8/1/23. The delayed effective date of this Rule is January 1, 2025. The Statutory authority for Rule-making is G. S. 143-136; 143-138.	

SUBMISSION FOR PERMANENT RULE

10. Rulemaking Coordinator: David B. Rittlinger
David B. Rittlinger
Phone: (919)647-0008
E-Mail: david.rittlinger@ncdoi.gov

Additional agency contact, if any:
Phone:
E-Mail:

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: David B. Rittlinger
Title: Interim NCDOT-OSFM Deputy Commissioner of Engineering and 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:

Documents included:

1. Formatted Review Aide and 2024 North Carolina Energy Conservation Code: Chapter 1 through Appendices*

TEXT THAT IS ~~STRUCK THROUGH~~ IS DELETED FROM THE 2018 EDITION TO CREATE THE 2024 EDITION.

TEXT THAT IS UNDERLINED IS NEW TEXT TO CREATE THE 2024 EDITION.

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2. Appendix C Code Change Proposal North Carolina Building Code Council (221213 Item B-6) 2024 North Carolina Energy Conservation Code (File: 2024 NCECC Proposed). A link to the petition can be found here: <https://www.ncosfm.gov/b-6-2024-ncecc-1>
3. 2017-2023 Approved Amendments to the 2018 North Carolina Energy Conservation Code (File: 2017-2023 Approved Amendments 230314-Energy Conservation Code). A link to these amendments can be found here: <https://www.ncosfm.gov/2017-2023-approved-amendments-230314energy-conservation-code-code>
4. Fiscal Note for the 2024 North Carolina Energy Conservation Code (File: BCC_2023-08-21). A link to this fiscal note can be found here: <https://www.ncosfm.gov/b-6-2024-ncecc-fiscal-note>
5. 8/21/23 OSBM approval of fiscal note correspondence (Approval – 2024 Energy Conservation Code).
6. Cost Benefit Analysis for the 2024 North Carolina Energy Conservation Code (File: Building Code Council - 143-138(a1) Cost-Benefit Analysis for 2024 N.C. Energy Conservation Code). A link to this cost benefit analysis can be found here: <https://www.ncosfm.gov/b-6-2024-ncecc-cost-analysis>

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: NC Building Code Council	
2. Rule citation & name (name not required for repeal): 2024 North Carolina Fuel Gas Code (230613 Item B-2)	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: August 15, 2023 in NC Register, August 1, 2023 agency website Link to Agency notice: Hearing on: September 12, 2023 Adoption by Agency on: December 12, 2023 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"><div style="width: 48%;"><input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite:</div><div style="width: 48%;"><input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:</div></div>	
9B. Explain: This amendment is proposed to protect the public by updating the code to current standards of practice. This rule is not expected to either have a substantial economic impact or increase local and state funds. A fiscal note has not been prepared. The delayed effective date of this Rule is January 1, 2025. The Statutory authority for Rule-making is G. S. 143-136; 143-138.	

SUBMISSION FOR PERMANENT RULE

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11. Signature of Agency Head* or Rule-making Coordinator:



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Typed Name: David B. Rittlinger
Title: Interim NCDOI-OSFM Deputy Commissioner of Engineering and 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:

Documents included:

1. Formatted Review Aide and 2024 North Carolina Fuel Gas Code: Chapter 1 through Appendix E*

TEXT THAT IS ~~STRUCK THROUGH~~ IS DELETED FROM THE 2018 EDITION TO CREATE THE 2024 EDITION.

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2. Appendix C Code Change Proposal North Carolina Building Code Council (230613 Item B-2) 2024 North Carolina Fuel Gas Code (File: B-2 2024 NCFGC). A link to the petition can be found here:
<https://www.ncosfm.gov/b-2-2024-ncfgc>
3. 2017-2023 Approved Amendments to the 2018 North Carolina Fuel Gas Code (File: 2017-2023 Approved Amendments 230314 Fuel Gas Code). A link to these amendments can be found here:
<https://www.ncosfm.gov/2017-2023-approved-amendments-230314fuel-gas-code>

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: NC Building Code Council	
2. Rule citation & name (name not required for repeal): 2024 North Carolina Mechanical Code (230613 Item B-1)	
3. Action: <input type="checkbox"/> ADOPTION <input checked="" type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: August 15, 2023 in NC Register, August 1, 2023 agency website Link to Agency notice: Hearing on: September 12, 2023 Adoption by Agency on: December 12, 2023 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <div style="display: flex; justify-content: space-between;"><div style="width: 48%;"><input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite:</div><div style="width: 48%;"><input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:</div></div>	
9B. Explain: This amendment is proposed to protect the public by updating the code to current standards of practice. This rule is not expected to either have a substantial economic impact or increase local and state funds. A fiscal note has not been prepared. The delayed effective date of this Rule is January 1, 2025. The Statutory authority for Rule-making is G. S. 143-136; 143-138.	

SUBMISSION FOR PERMANENT RULE

10. Rulemaking Coordinator: David B. Rittlinger
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Phone: (919)647-0008
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Typed Name: David B. Rittlinger
Title: Interim NCDOT-OSFM Deputy Commissioner of Engineering and 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:

Documents included:

1. Formatted Review Aide and 2024 North Carolina Mechanical Code: Chapter 1 through Appendix C*

TEXT THAT IS ~~STRUCK THROUGH~~ IS DELETED FROM THE 2018 EDITION TO CREATE THE 2024 EDITION.

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2. Appendix C Code Change Proposal North Carolina Building Code Council (230613 Item B-1) 2024 North Carolina Mechanical Code (File: B-1 2024 NCMC). A link to the petition can be found here: <https://www.ncosfm.gov/b-1-2024-ncmc>
3. 2017-2023 Approved Amendments to the 2018 North Carolina Mechanical Code (File: 2017-2023 Approved Amendments 230314-Mechanical Code). A link to these amendments can be found here: <https://www.ncosfm.gov/2017-2023-approved-amendments-230314mechanical-code>