

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Commerce and Tourism

CS/HB 121 — Notaries Public

by Civil Justice and Property Rights Subcommittee and Rep. Garrison and others (CS/CS/CS/SB 228 by Rules Committee; Judiciary Committee; Commerce and Tourism Committee; and Senators Bradley and Burgess)

The bill provides the following updates to the recently created process for online notarizations in ch. 117, F.S.:

- Institutes a self-certification requirement for remote online notarization service providers to ensure their eligibility to assist with the provision of notary services;
- Transfers specific duties from online notaries public to their remote online notarization service providers;
- Requires the Department of State to publish information about active and inactive online notaries public and remote online notarization service providers;
- Permits online notaries to rely on a foreign passport of an individual who is currently outside of the borders of the United States to perform an online notarization;
- Implements privacy requirements for personally identifying information given during an online notarization;
- Provides several clarifications and technical updates to the process of online notarizations provided for in ch. 117, F.S.; and
- Allows for remote swearing in of witnesses for court proceedings and attorney admission to The Florida Bar.

If approved by the Governor, these provisions take effect on January 1, 2022.

Vote: Senate 39-0; House 115-0