

1 WHEREAS, for electronic notarizations to enjoy the same
2 level of credibility as paper-based notarizations, it is
3 imperative that appropriate, substantive, secure, and uniform
4 standards and procedures be adopted, and

5 WHEREAS, the absence of uniform standards has
6 represented a hindrance to the adoption of technologically
7 available e-notarization systems, NOW, THEREFORE,

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Section 117.021, Florida Statutes, is
12 created to read:

13 117.021 Electronic notarization.--

14 (1) Any document that requires a notarization may be
15 notarized electronically. The provisions of ss. 117.01,
16 117.03, 117.04, 117.05(1)-(11), (13), and (14), 117.105, and
17 117.107 apply to all notarizations under this section except
18 as set forth in this section.

19 (2) Before performing an electronic notarial act, a
20 notary public must register the capability to notarize
21 electronically with the Secretary of State on a form to be
22 prescribed by Department of State.

23 (3) In performing an electronic notarial act, a notary
24 shall use an electronic signature that is:

25 (a) Unique to the notary public;

26 (b) Capable of independent verification;

27 (c) Retained under the notary public's sole control;

28 and

29 (d) Attached to or logically associated with the
30 electronic document in such a manner that any subsequent
31 alterations to the document render evidence of the change.

1 (4) When a signature is required to be accompanied by
2 a notary's seal, that requirement is satisfied if the
3 electronic signature of the notary contains all of the
4 following seal information:

5 (a) The name of the notary public exactly as
6 commissioned;

7 (b) The words "Notary Public - State of Florida";

8 (c) The date of expiration of the commission of the
9 notary public; and

10 (d) The notary public's commission number.

11 (5) Failure to comply with this section constitutes
12 grounds for suspension from office by the Governor.

13 (6) The Department of State shall adopt rules to
14 ensure the security, reliability, and uniformity of signatures
15 and seals authorized in this section.

16 Section 2. This act shall take effect July 1, 2007.

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19 SENATE SUMMARY

20 Authorizes the use of electronic notarization. Provides
21 procedures therefor and requirements with respect
22 thereto.

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