



268372

LEGISLATIVE ACTION

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| Senate | . | House |
| Comm: WD | . | |
| 01/30/2018 | . | |
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The Committee on Judiciary (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete lines 533 - 553

and insert:

(1) An online notary public may perform any of the functions authorized under part I of this chapter as an online notarization, excluding:

(a) Solemnizing the rites of matrimony;

(b) A notarial act in connection with the creation and execution of a will, codicil, or revocable trust for testamentary purposes; and



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12 (c) A contract, an agreement, or a waiver subject to ss.
13 732.701 and 732.702.

14 (2) If a notarial act requires a principal to appear before
15 or in the presence of the online notary public, the principal
16 may appear before the online notary public by means of audio-
17 video communication technology that meets the requirements of
18 this chapter and any rules adopted by the Executive Office of
19 the Governor under s. 117.295.

20 (3) An online notary public may perform a notarial act as
21 an online notarization as authorized under this chapter
22 regardless of the physical location of the principal at the time
23 of the notarial act, provided the notary public is physically
24 located in this state while performing the online notarization.

25 (4) The validity of an online notarization performed by an
26 online notary public appointed in this state shall be determined
27 by applicable laws of this state regardless of the physical
28 location of the principal at the time of the notarial act.

29 Section 8. Section 117.215, Florida Statutes, is created to
30 read:

31 117.215 Relation to other laws.—With the exception of laws
32 governing the creation and execution of wills, codicils, and
33 revocable trusts for testamentary purposes, or contracts,
34 agreements, or waivers subject to ss. 732.701 and 732.702:

35
36 ===== T I T L E A M E N D M E N T =====

37 And the title is amended as follows:

38 Delete line 29

39 and insert:

40 online notarizations; providing exceptions; creating