STATE OF NEW YORK

7549

2021-2022 Regular Sessions

IN ASSEMBLY

May 13, 2021

Introduced by M. of A. DURSO -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to providing for the remote notarization of documents

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The executive law is amended by adding a new section 135-c to read as follows:

§ 135-c. Notary services provided utilizing audio-video technology. 1. Any notarial act that is required under New York state law is authorized to be performed utilizing audio-video technology provided that the following conditions are met:

(a) The person seeking the notary public's services, if not personally known to the notary, shall present valid photo identification to such notary public during the audio-video conference and shall not merely transmit it prior to or after such video conference;

(b) The audio-video conference shall allow for direct interaction between the person receiving notary services and the notary public (e.g. no pre-recorded videos of the person signing);

(c) The person receiving notary services shall affirmatively represent that he or she is physically situated in the state of New York;

(d) The person receiving notary services shall transmit by fax or electronic means a legible copy of the document signed during the audi-o-visual conference directly to the notary on the same date that such document was signed; and

(e) The notary shall notarize the transmitted copy of such document and transmit the same back to the person receiving notary services.

2. The notary public may repeat the notarization of the original signed document as of the date of execution provided the notary public receives such original signed document together with the electronically notarized copy within thirty days after the date of execution.

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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