

**423.310 Notarial acts -- Tangible and electronic records -- Online notary -- Prohibited acts -- Tangible copy of electronic record.**

- (1) A notarial officer may perform the following notarial acts:
  - (a) Take acknowledgments;
  - (b) Administer oaths and affirmations;
  - (c) Take verifications of statements on oath or affirmation;
  - (d) Certify that a copy of any document, other than a document that is recorded or in the custody of any federal, state, or local governmental agency, office, or court, is a true copy;
  - (e) Certify depositions of witnesses;
  - (f) Make or note a protest of a negotiable instrument;
  - (g) Witness or attest signatures; and
  - (h) Perform any notarial act authorized by a law of the Commonwealth other than KRS 423.300 to 423.455.
- (2) A notary public may perform any of the notarial acts listed in subsection (1) of this section with respect to tangible records and electronic records.
- (3) Upon registration with the Secretary of State, an online notary may perform any of the notarial acts listed in subsection (1) of this section as an electronic notarization.
- (4) A notarial officer shall not perform a notarial act with respect to a record to which the notarial officer or the notarial officer's spouse or other member of the notarial officer's immediate family is a party, or in which any of those individuals has a direct beneficial interest. A notarial act performed in violation of this subsection is voidable.
- (5) A notarial officer may certify that a tangible copy of an electronic record is an accurate copy of the electronic record.

**Effective:** January 1, 2020

**History:** Created 2019 Ky. Acts ch. 86, sec. 3, effective January 1, 2020.