

423.345 Effect of notarial act performed in another state, under authority of tribe, or under authority of federal law.

- (1) (a) A notarial act performed in another state has the same effect under the law of this state as if performed by a notarial officer of this state, if the act performed in that state is performed by:
 1. A notary public of that state;
 2. A judge, clerk, or deputy clerk of a court of that state; or
 3. Any other individual authorized by the law of that state to perform the notarial act.
- (b) The signature and title of an individual performing a notarial act in another state are prima facie evidence that the signature is genuine and that the individual holds the designated title.
- (c) The signature and title of a notarial officer described in paragraph (a) or (b) of this subsection conclusively establish the authority of the officer to perform the notarial act.
- (2) (a) A notarial act performed under the authority and in the jurisdiction of a federally recognized Indian tribe has the same effect as if performed by a notarial officer of this state, if the act performed in the jurisdiction of the tribe is performed by:
 1. A notary public of the tribe;
 2. A judge, clerk, or deputy clerk of a court of the tribe; or
 3. Any other individual authorized by the law of the tribe to perform the notarial act.
- (b) The signature and title of an individual performing a notarial act under the authority and in the jurisdiction of a federally recognized Indian tribe are prima facie evidence that the signature is genuine and that the individual holds the designated title.
- (c) The signature and title of a notarial officer described in paragraph (a) or (b) of this subsection conclusively establish the authority of the notarial officer to perform the notarial act.
- (3) (a) A notarial act performed under the authority of federal law has the same effect under the law of this state as if performed by a notarial officer of this state, if the act performed under federal law is performed by:
 1. A judge, clerk, or deputy clerk of a court;
 2. An individual in military service or performing duties under the authority of military service who is authorized to perform notarial acts under federal law;
 3. An individual designated a notarizing officer by the United States Department of State for performing notarial acts overseas; or
 4. Any other individual authorized by federal law to perform the notarial act.

- (b) The signature and title of an individual acting under federal authority and performing a notarial act are prima facie evidence that the signature is genuine and that the individual holds the designated title.
- (c) The signature and title of an officer described in paragraph (a) or (b) of this subsection conclusively establish the authority of the officer to perform the notarial act.

Effective: January 1, 2020

History: Created 2019 Ky. Acts ch. 86, sec. 10, effective January 1, 2020.