

423.385 Registration regarding electronic records and notarizations -- Tamper-evident technology -- Standards -- Tangible copy of electronic record.

- (1) A notary public shall register with the Secretary of State pursuant to KRS 423.390 if the notary public intends to perform notarial acts:
 - (a) With respect to electronic records where the individual will appear before the notary in the notary's physical presence; or
 - (b) As an online notary public to perform electronic notarizations by means of communication technology.
- (2) A notary public may select one (1) or more tamper-evident technologies to perform notarial acts in the physical presence of the individual signer with respect to electronic records, or to perform electronic notarizations. A person may not require a notary public to perform any notarial act with a technology that the notary public has not selected.
- (3) If the Secretary of State has established standards respecting technology to perform notarial acts in the physical presence of the individual signer with respect to electronic records, or to perform electronic notarizations, the technology chosen by the notary public shall conform to those standards.
- (4) A tangible copy of an electronic record containing a notarial certificate may be accepted as satisfying any requirement that a record accepted for recording be an original, if the notarial officer executing the notarial certificate certifies that the tangible copy is an accurate copy of the electronic record.

Effective: January 1, 2020

History: Created 2019 Ky. Acts ch. 86, sec. 18, effective January 1, 2020.