

423.415 Administrative regulations.

The Secretary of State may promulgate administrative regulations to implement KRS 423.300 to 423.455. Promulgated administrative regulations regarding the performance of notarial acts with respect to electronic records or electronic notarizations shall not require, or accord greater legal status or effect to, the implementation or application of a specific technology or technical specification. The administrative regulations may:

- (1) Prescribe the manner of performing notarial acts regarding tangible and electronic records;
- (2) Establish requirements for notarial training or education as a condition of obtaining or renewing a commission or before registering to perform notarial acts with respect to electronic records or to perform electronic notarizations;
- (3) Include provisions to ensure that any change to or tampering with a record bearing a certificate of a notarial act is self-evident;
- (4) Include provisions to ensure integrity in the creation, transmittal, storage, or authentication of electronic records or signatures;
- (5) Prescribe the process of granting, renewing, conditioning, denying, suspending, or revoking a notary public commission and assuring the trustworthiness of an individual holding a commission as notary public;
- (6) Include provisions to prevent fraud or mistake in the performance of notarial acts; and
- (7) Establish the process for approving and accepting surety bonds and other forms of assurance under KRS 423.390.

Effective: January 1, 2020

History: Created 2019 Ky. Acts ch. 86, sec. 24, effective January 1, 2020.