

423.440 Presumption of proper notarization -- Immunity of county clerk.

- (1) A writing or record that appears on its face to have been properly notarized in accordance with KRS 423.300 to 423.455 shall be presumed to have been notarized properly and may be recorded by the clerk.
- (2) A writing or record notarized outside this state by a notary public or other person referenced in KRS 423.345 or 423.350 that appears on its face to be properly notarized shall be presumed to have been notarized properly in accordance with the laws and regulations of the jurisdiction in which the document was notarized.
- (3) The county clerk shall be immune from suit arising from any acts or omissions relating to recording records that have been notarized by electronic means as set forth in KRS 423.300 to 423.455 unless the clerk was grossly negligent or engaged in willful misconduct.

Effective: January 1, 2020

History: Created 2019 Ky. Acts ch. 86, sec. 29, effective January 1, 2020.