

STATE OF NEVADA

NOTARY PUBLIC HANDBOOK



2023-2027

COURTESY OF
FRANCISCO V. AGUILAR
SECRETARY OF STATE

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A Message from Secretary of State

Francisco V. Aguilar

March 9, 2023

Dear Notary Public:

Thank you for being a part of the large number of Nevadans dedicated to the important role of being a Notary Public. There are more than 25,000 notaries public in the State of Nevada – each one of you are crucial to doing business in our state.

Notaries Public are held to high ethical and professional standards - you are now taking on the responsibility to serve the public honestly and fairly. This job requires dedication to the law and a keen attention to detail. The Secretary of State's Office appoints every Notary Public to perform this important job, and it's one of my many duties as Secretary of State to oversee these appointments, as well as to enforce Nevada Revised Statutes Chapter 240 to govern notaries public.

The Secretary of State's office provides this Notary Handbook to help increase awareness of the responsibilities of notaries public. In this book, you will find the tools needed to be an effective, informed notary for the State of Nevada. From the most frequently asked questions and their answers to examples of notary acts to the appropriate notary certificate to accompany each notary act – this guide will be a useful reference as you take on your role. The Secretary of State's Notary Division also offers Notary Training Classes to both current and future notaries to assist you with your duties as a Notary Public.

On the Secretary of State's website at www.nvsos.gov, you will find information about how to become a Notary Public, the training opportunities available and your responsibilities once appointed. The Secretary of State's Office offers class registration as part of our online services, so you can sign up, pay, transfer, or cancel classes without mailing in a paper form. If you have any questions about your role, you may contact the Notary Division by phone at 775-684-5708 or visit the website for more information. Thank you for providing this valuable and important service in Nevada.

Sincerely,

A handwritten signature in black ink that reads "FV Aguilar". The signature is stylized with a large "F" and "V" and a cursive "Aguilar".

FRANCISCO V. AGUILAR
Secretary of State

Who is a Notary Public?

A Notary Public is an individual appointed to perform the duties of administering oaths, taking acknowledgments, executing jurats, and certifying copies within the State of Nevada. The Secretary of State is charged with the responsibility of appointing Notaries Public by the provisions of Chapter 240 of the Nevada Revised Statutes.

What are Some Helpful Checklists?

Notary Public Commission Appointment Checklist

Before Submitting my Application:

- ☐ Entered into a Bond with the State (\$10,000)
- ☐ Obtained a Filing Notice
- ☐ Complete Notary Public Training Course
- ☐ Pass Notary Public Exam

Submitting my Application:

- ☐ Filing Notice
- ☐ Training Certificate
- ☐ Signed (Your Notary Public Signature) Application
- ☐ Pay Application and Training Fees (Total of \$80)

Registering an Electronic Notarization Platform Checklist

Before Submitting my Registration, I must:

- ☐ Obtain My electronic seal and electronic signature
- ☐ Get An Exemplar from the approved Provider
- ☐ Complete the Electronic Notary Public Course
- ☐ Pass Electronic Notary Public Exam

Submitting my Registration and Exemplar:

- ☐ Submit Registration on SilverFlume (\$50)
- ☐ Submit Exemplar on SilverFlume (\$0)

General Qualifications for Appointment for a Resident

A Resident appointed as a Notary Public must:

- Be a resident of the State of Nevada.
- Be at least 18 years of age.
- Possess their civil rights.
- Have completed a course of study pursuant to NRS 240.018.

The Secretary of State may appoint a person who resides in an adjoining state as a Notary Public if that person either:

- Maintains a place of business in the State of Nevada.
- Or is regularly employed at an office, business, or facility located within the State of Nevada.

If such conditions cease to continue, the Secretary of State may suspend the person's appointment.

Applicants of a non-resident Notary Public appointment are required to submit:

If employed within Nevada

1. A copy of applicant's employer's Nevada State Business license
2. A "Non-resident Notary Public Affidavit"
3. An "Affidavit of Applicant's Employer"

If self-employed

1. A copy of the applicant's state business license and any business license required by the local government where the business is located.
2. A "Non-resident Notary Public Affidavit"
3. And an "Affidavit of Self-Employer Applicant"

New and Renewing an Appointment

Before submitting an application for appointment,
an individual must:

- Complete the Notary Public Training Course and pass the Notary Public Exam.
- Enter into a bond to the State of Nevada in the sum of \$10,000, to be filed with the clerk of the county in which the applicant resides or, if the applicant is a resident of an adjoining state, with the clerk of the county in this State in which the applicant maintains a place of business or is employed.

The applicant must obtain the certificate issued by the appropriate county clerk, or **Filing Notice**, which indicates to the State that the applicant correctly filed the bond required.

Before being appointed or renewing a commission,
an individual must:

- Submit their Notary Public **Application, Filing Notice, and Training Certificate** along with the **Application Fee** of \$35 and **Training Course Fee** of \$45 to the Secretary of State (\$80 total).

A Notary Public will need their Commission Certificate to obtain a **Stamp**. A stamp is required for authenticating a notarial act. The Notary Public will also need to obtain a Journal of Notarial Acts as the Notary Public is required to maintain a record of all notarial acts.

Registering an Electronic Notary Platform

A Notary Public wishing to register an Electronic Notary Platform must:

- At the time of submission, the registrant must be an active notarial officer with the State of Nevada.
- And have successfully completed the required Electronic Notary Course and passed the Electronic Notarization Exam.

The Notary Public may register their chosen platform(s) with the Secretary of State by submitting an electronic **registration** for each of the platform provider(s) they chose to use and upload the **Exemplar** from each platform registered.

The Notary Public will then pay to the Secretary of State the registration fee of \$50 and the Electronic Notary Public Training Course Fee of \$45 (\$90 in total).

Role of a Notary Public

A Notary Public is an independent second party verifying an instrument of a first party for a third party.

To complete this, the Notary Public would need to check to see if they are prohibited or restricted from completing the notarial act, obtain sufficient evidence to identify the person making the request, ensure the notarial certificate is completed correctly, record the event into their journal or electronic journal, then, and only then, Sign and Stamp.

Prohibited Acts

A Notary Public is prohibited in the State of Nevada from performing any of the following:

- Influence a person to enter or not enter into a lawful transaction involving a notarial act performed by the Notary Public.
- Certify an instrument containing a statement known by the Notary Public to be false.
- Perform any act as a Notary Public with intent to deceive, or defraud including, without limitation, altering the journal that the Notary Public is required to keep.
- Endorse or promote any product, service, or offering if their appointment as a Notary Public is used in the endorsement or promotional statement.
- Certify photocopies of a certificate of birth, death or marriage or a divorce decree.
- Allow any other person to use their notary stamp.
- Allow any other person to sign using the notary's name in a notarial capacity.
- Perform any notarial act on any document or page that contains only a signature.
- Perform any notarial act on blank piece of paper with no text.
- Perform a notarial act on a document unless that document has been filled out completely and has been signed.
- Affix their stamp to any document which does not contain a notarial certificate.
- Willfully notarize the signature of a person unless the person is in the presence of the Notary Public.

Restricted Acts

The Notary Public is restricted in the State of Nevada from performing a notarial act if any of the following conditions apply:

- If the Notary Public executed or is named in the instrument acknowledged, sworn to, witnessed, or attested.
- The Notary Public has or will receive directly from a transaction relating to the instrument or pleading a commission, fee, advantage, right, title, interest, property, or other consideration more than the fee authorized for the notarial act.
- The Notary Public and the person whose signature is to be acknowledged, sworn to, witnessed, or attested are domestic partners.
- The Notary Public and the person whose signature is to be acknowledged, sworn to, witnessed, or attested is a relative of the domestic partner of the Notary Public or a relative of the Notary Public by marriage or consanguinity.

Sufficient Evidence of Identification

When a Notary Public is taking an acknowledgment, administering an oath or affirmation, or executing a jurat, the Notary Public must determine, from personal knowledge or satisfactory evidence, that the person is the individual whose signature is on the document.

A Notary Public has satisfactory evidence that a person is the individual whose signature is on a document if:

- The person is personally known to the notarial officer, or identified upon the oath or affirmation of a credible witness who personally appears before the notarial officer
- The person is identified by an identifying document which contains both a signature and a photograph of the individual
- The person is identified by a consular identification card
- The person is identified upon an oath or affirmation of a subscribing witness who is personally known to the Notary Public
- The person, in the case of an individual who is 65 years of age or older and cannot satisfy the requirements by other means, is identified upon the basis of an identification card issued by a governmental agency or a senior citizen center.

Completing a Compliant Notarial Certificate

A notarial act must be evidenced by a certificate. The certificate consists of the **Venue**, **Notarial Wording**, and the Notary Public's **Signature** and **Stamp**.

The Venue

The Venue identifies the State and County, including, without limitation, the independent city of Carson City, in which the notarial act was performed in substantially the following form:

State of Nevada

State of Nevada

County of _____ OR

Carson City

Compliant Notarial Wording

The following is a brief description of the duties a Notary Public is authorized to conduct in the State of Nevada and the language one may use for each duty.

Administering an Oath or Affirmation

Taking an Acknowledgment

Executing a Jurat

Certifying a Copy

Administer Oaths or Affirmations

Before completing the notarial certificate, the individual taking the oath or affirmation raises one's right hand while the Notary Public, state the words of the oath or affirmation. The oath taker then repeats these words back to the notarial officer.

The following is sufficient for administering an oath or affirmation of office.

State of Nevada

County of _____

I, **[Name of Person taking oath or affirmation of office]**, do solemnly swear (*or affirm*) that I will support, protect and defend the Constitution and Government of the United States and the Constitution and Government of the State of Nevada against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution or law of any state notwithstanding, and that I will well and faithfully perform all the duties of the office of **[Title of Office]**, on which I am about to enter; (if an oath) so help me God; (*if an affirmation*) *under the pains and penalties of perjury.*

[Signature of person taking oath or affirmation of office]

Signed and sworn to (*or affirmed*) before me on **[Date]** by **[Name of Person taking oath or affirmation of office]**.

[Signature of Notarial Officer]

Notary Stamp

Taking Acknowledgments

“Acknowledgment” means a declaration by a person that they have executed an instrument for the purposes stated therein and, if the instrument is executed in a representative capacity, that the person who signed the instrument did so with proper authority and executed it as the act of the person or entity represented and identified therein. The document signer must present the document to the Notary Public and acknowledge that they previously signed the document, or the document signer can sign the document in the Notary’s Public presence when completing an acknowledgement.

The following format and notary language are sufficient for taking an acknowledgment in an individual capacity.

State of Nevada

County of _____

This instrument was acknowledged before me on **[Date]** by **[Name of Person(s) Acknowledging the Instrument]**.

[Signature of Notarial Officer]

Notary Stamp

The following format and notary language are sufficient for taking an acknowledgment containing a power of attorney.

State of Nevada

County of _____

This instrument was acknowledged before me on **[Date]** by **[Name of Person Holding Power of Attorney]** as attorney in fact for **[Name of Principal]**.

[Signature of Notarial Officer]

Notary Stamp

The following format of notarial language is sufficient for taking an acknowledgment in a representative capacity.

State of Nevada

County of _____

This instrument was acknowledged before me on **[Date]** by **[Name of Person(s)]** as **[Type of Authority, e.g. President, Trustee, etc.]** of **[Name of Party on Behalf of Whom Instrument was Executed]**.

[Signature of Notarial Officer]

Notary Stamp

The following format and notary language are sufficient for taking an acknowledgment when notarizing the signature of a person unable to sign.

State of Nevada

County of _____

This instrument was acknowledged before me on **[Date]** by **[Name of Person Physically Unable to Sign the Document]** who directed that his or her signature be affixed to the above instrument by **[Name of Person(s) Directed to Sign the Document]**.

[Signature of Notarial Officer]



Executing Jurats

A “Jurat” is a declaration by the Notary Public that the signer of an instrument signed the document in the presence of the notarial officer and swore to, or affirmed to, the statements in the document being true.

The Notary Public must first determine that the document signer is the person named in the document. Then, for the Notary Public to state a document was signed and sworn (or affirmed) before them, they must administer an oath by swearing in the document signer. To do this, the Notary Public will ask, “Do you swear (or affirm) that the statements in this document are true (so help you God)?” The document signer must then answer, “Yes” to complete the act.

To be sensitive to people who wish not to take an oath by swearing, the Notary Public may substitute the word “affirm” for “swear” and exclude the phrase “so help you God.” The person must still answer “Yes” and sign the document in the presence of the Notary Public.

The following is sufficient for executing a jurat.

State of Nevada

County of _____

Signed and sworn to (or affirmed) before me on [**Date**] by
[**Name of Person(s) Making Statement**].

[Signature of Notarial Officer]

Notary Stamp

Use of Subscribing Witness

If a document signer cannot personally appear before a notary, a subscribing witness may swear, or affirm, that the signature is that of the document signer. The subscribing witness had to be present when the document was signed by the principle and be Personally Known by the Notarial Officer to have subscribing witness' signature notarized.

Only documents requiring an acknowledgment can be notarized through a subscribing witness.

The following is sufficient for a jurat of a subscribing witness:

State of Nevada

County of _____

On **[Date]**, **[Name of Subscribing Witness]** personally appeared before me, whom I know to be the person who signed this jurat of a subscribing witness while under oath and swears that he or she was present and witnessed **[Signer of the Document]** sign his or her name to the above document.

[Signature of Subscribing Witness]

Signed and sworn before me on **[Date]** by
[Name Subscribing Witness].

[Signature of Notarial Officer]

Notary Stamp

Certifying Copies

In certifying a copy of a document, the Notarial Officer must photocopy the entire document and certify that the photocopy is a true and correct copy of the document that was presented to the notarial officer.

The Notary Public must create the copy and is prohibited from completing a certificate on copy produced by another person.

The following is sufficient for certifying a copy of a document.

State of Nevada

County of _____

I certify that this is a true and correct copy of a document in the possession of [**Name of Person Who Presents the Document**] on [**Date**].

[Signature of Notarial Officer]



Certifying Copy of Electronic Document

In certifying a copy of an electronic document, the Notarial Officer is certifying that a paper document is a true and correct copy of an electronic document and was printed by the Notarial Officer or under their supervision. The Notarial Officer must print the entire document and complete the certificate on the printed paper document.

The following is sufficient for certifying a paper document is a true and correct copy of an electronic document.

State of Nevada

County of _____

I certify that this is a true and correct copy of an electronic document printed by me or under my supervision. I further certify that, at the time of printing, no security features present on the electronic document indicated any changes or errors in an electronic signature or other information in the electronic document since its creation or execution.

[Dated].

[Signature of Notarial Officer]

Notary Stamp

Journal of Notarial Acts: Duty to Maintain

A Notary Public shall keep a journal in which they are required to enter each notarial act performed at the time the act is performed. Each entry is required to include the fees charged including travel (if any), the title of the document, the date on which the Notary Public performed the act, and a description of the evidence used by the Notary Public to verify the identification of the person(s) whose signature is being notarized. Each entry is also required to include the name and signature of the person whose signature is being notarized, in addition to, the type of certificate used to evidence the notarial act, as required pursuant to NRS 240.1655, including an indication of whether the Notary Public administered an oath.

A Notary Public may make a single journal entry for documents with more than one notarial act if the notarial acts being recorded are performed by the same person, at the same time, and for one document.

When performing a notarial act, a Notary Public need not require the person to sign the journal if: the Notary Public has performed a notarial act for the person within the previous six months, the Notary Public has personal knowledge of the identity of the person, or the person is an employer or co-worker of the Notary Public and the notarial act relates to a transaction performed in the ordinary course of the person's business. If a notarial act does not require a person to sign the journal, the Notary Public shall enter "known personally" as the description required.

If the Notary Public verifies the identification of the person whose signature is being notarized on the basis of a credible witness, the Notary Public shall require the witness to sign the

journal in the space provided for the description of the evidence used and make a notation in the journal that the witness is a credible witness.

The journal must be open to public inspection and be in a bound volume with preprinted page numbers.

A Notary Public shall, upon request and payment of the fee set forth in NRS 240.100, provide a certified copy of an entry in their journal.

Storage of Journal

A Notary Public shall keep their journal in a secure location when the Notary Public is not making an entry.

The appointed individual, the executor of the notary's public estate, or an authorized representative of the Notary Public shall retain each journal they have kept until seven years after the date on which appointed individual ceases to be a Notary Public.

A Notary Public shall file a report with the Secretary of State and the appropriate law enforcement agency if the journal of the Notary Public is lost or stolen.

Use of Stamp

The stamp of the Notary Public must be imprinted in indelible, photographically reproducible ink with a rubber or other mechanical stamp. The Stamp of the Notary Public must state the following

- The name of the Notary Public
- The phrase “Notary Public, State of Nevada”
- The Commission Expiration date of the Notary Public
- The Commission Number of the Notary Public

If the Notary Public so desires, the Great Seal of the State of Nevada

If the Notary Public is a resident of an adjoining state, the stamp of Notary Public must also contain the word “**non-resident**”.

The stamp is required to be a rectangle, no larger than 1-inch by 2 ½-inches, and able to produce a legible imprint.

The Notary Public shall keep their stamp in a secure location during any period in which they are not using the stamp. A Notary Public shall not affix his or her stamp over printed material.

Signature of Notary Public

The signature of a Notary Public on a document shall be deemed to be evidence only that the Notary Public knows the contents of the document that constitute the signature, execution, acknowledgment, oath, affirmation, or affidavit.

When a Notary Public certifies that a document is a certified or true copy of an original document, the certification shall not be

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deemed to be evidence that the Notary Public knows the contents of the document.

A notarial officer shall not affix their signature over printed material.

Civil Penalties

The Secretary of State may refuse or revoke the appointment of a Notary Public who fails to provide to the Secretary of State information that the Secretary of State requests from the Notary Public in connection with a complaint which alleges a violation.

Notice of a revocation or suspension will be published publicly on the website of the Secretary of State.

A Notary Public may be assessed a civil penalty of up to \$2,000 for each violation.

The Secretary of State may assess the civil penalty upon a Notary Public whose appointment has expired.

If a Notary Public is acting within the scope of their employment at the time the Notary Public engaged in misconduct and their employer consented to the misconduct of the Notary Public, the employer of a Notary Public may be assessed a civil penalty by the Secretary of State.

The preceding information on fines for notaries public and their employers may accrue is not an all-inclusive list. Please review NRS 240 for all civil penalties.

Notarial Fees

Traditional Notarial Acts

A Notary Public may charge the following fees and no more for a notarial act.

Taking an Acknowledgment

For the first signature of each signer	\$15.00
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For each additional signature of each signer	\$7.50
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For Administering an Oath or Affirmation	\$7.50
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For a certified copy	\$7.50
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When Executing a Jurat

For Each Signature on the Affidavit	\$15.00
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Performing a Marriage Ceremony	\$75.00
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Electronic Notarial Acts

An electronic Notary Public may charge the following fees and no more for electronic notarial acts.

When Taking an Acknowledgment

For each signature	\$25.00
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When Executing a Jurat

For Each Signature	\$25.00
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For Administering an Oath or Affirmation	\$25.00
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Travel Fees

A Notary Public may charge an additional fee for traveling to perform a notarial act if the individual requesting the notarial act asks the Notary Public to travel, the Notary Public explains to the person requesting the notarial act that the fee is in addition to the fee for the notarial act and is not required by law, the individual requesting the notarial act agrees in advance upon the hourly rate that the Notary Public will charge for the additional fee, and the additional travel fee does not exceed the below.

- \$15.00 per hour if the person requesting the notarial act asks the Notary Public to travel between 6:00 a.m. & 7:00 p.m.
- \$30.00 per hour if the person requesting the notarial act asks the Notary Public to travel between 7:00 p.m. & 6:00 a.m.
- The Notary Public may charge a minimum of two hours for travel and shall charge on a per hours traveled after the first two hours.

A Notary Public is entitled to charge a fee for travel by the person requesting the notarial act if the person requesting the notarial act cancels the request after the Notary Public begins traveling or the Notary Public is unable to perform the requested notarial act because of the actions of the person who requested the notarial act.

Please Note:

All fees are payable in advance, if demanded.

Answers to Commonly Asked Questions

The Notarial Act

Does the instrument need to be signed in front of me?

When performing a Jurat, the statutes require that the Notary Public observe the signer sign the instrument.

Do I have to know what type of document I am notarizing?

The notary is required to enter the title of the document in their journal. The Notary Public does not review the contents of the document beyond verifying that they are not prohibited from completing the notarial act.

Can I notarize a document written in a foreign language?

Yes. But, like all notarial acts you complete, this depends on if the Notary Public can obtain the information required to perform the Notarial Act.

- Can the notary obtain the title of document needed for the journal?
- When executing a Jurat, can the Notary Public determine the individual is named within the instrument?
- Is the Notary Public able to verify that the document does not use the Notary's signature to endorse or promote a product?

What should I do if I determine a document is forged or fraudulent?

Do not notarize it!

What if the document does not have any notary wording?

Add it. The individual making the request must tell you what type of act they would like preformed, but it is the role of the Notary Public to use the correct notarial certificate.

What if the document presenter will not allow me to add or edit the notary language on a presented document?

It is required for each notarial act to be evidenced with a compliant notarial certificate. You should never feel forced to use the wording the customer wants you to use.

Identifying the Client

Does a credible witness need to be present?

The credible witness must be before the notarial officer. You must administer the oath, and they must be personally known to the Notary Public.

Can a “mark” be accepted as the individual’s signature?

Yes. NRS 52.305 states:

The signature of a party, when required to a written instrument, is equally valid if the party cannot write, if:

- a) The person makes his mark;
- b) The name of the person making the mark is written near it; and
- c) The mark is witnessed by a person who writes his own name as a witness.

In order that a signature by mark may be acknowledged or may serve as the signature to any sworn statement, it must be witnessed by two persons who must subscribe their own names as witnesses thereto.

Is a photo ID required?

It is required the identification card used has both, a photo and signature of the individual.

How do I notarize the signature of someone who is from another country if that person's ID has been stolen?

The standard for determining identity is the same. If no ID is available, a credible witness may be used.

Keeping a Journal

Do I have to purchase a special kind of journal? If so, where can I find one?

Yes. NRS 240.120 (3)(b) states in part, "The journal must be in a bound volume with preprinted page numbers." You may purchase a journal from an office supply store.

May I share a journal with another Notary Public?

No. Each Notary Public is required to keep a journal and enter each notarial act performed at the time the act is performed.

How public is the notary journal? Exactly who can inspect it?

Your journal is open to public inspection; however, you should not hand over your journal for random "fishing expeditions". An individual may request a Certified Copy of a Journal entry from a Notary Public.

Does every single transaction need to be recorded even if they are all for the same person?

Yes.

May I refuse to complete a notarization for someone who refuses to sign my journal?

You must. Chapter 240 of Nevada Revised Statute requires the journal be signed. It is a good practice to complete the journal entry before you complete the notarial certificate.

Can I “hide” a document in my journal by giving it a false title to protect a client?

No. The title of the document and person’s name is required by statute to be in your journal.

To save time, can I have another employee enter the information required in the journal, then have the document signer sign the journal in my presence?

No, you may not have any other person than yourself enter information into your journal.

The Notarial Stamp

How important is it that I use black ink for my stamp as opposed to some other color?

Statute does not specify a color ink, only that the stamp must be indelible and photographically reproducible.

May I change the venue if it is printed with the wrong state or county?

The Notary Public shall authenticate all acts with a Nevada compliant certificate. It is best practice to complete a new certificate rather than editing or correcting prepopulated wording.

When there is no room for the notarial certificate, may I use my stamp on the back or attach one on another piece of paper? How should I indicate that this is what I have done?

The notary stamp must be readable, and Statute prohibits placing a Notary Public's stamp or signature over printed material. You may use the back of the document or an attached sheet. When a notarial certificate is attached, please note on the notarial certificate the document to which it is attached.

Certifying a Copy

What is the difference between "Attesting to a copy" and "Notarizing a Certified Copy?"

As the Notary Public, you certify that you have made a true and correct copy, completing the notarial certificate on the copy you make.

It is not the role of a Notary Public to certify or attest to information within a document, that a document was completed correctly, or if someone holds an accurate record. If the customer needs a "certified copy" of a record, the agency that holds the records should provide that document. The information that comes from Nevada County Clerks, Vital Statistics, or County Recorder's offices are already certified copies and are prohibited from being photocopied by a Notary Public.

If I am asked to certify a copy of a document that is in a language I do not understand, may I refuse to complete the Notarial Act because I am worried, I may be photocopying a document which I am prohibited for copying?

Yes. Again, you should not feel forced to complete a notarization.

Being a Notary

What is meant by the term “executed” in NRS 240.065, and to whom does it apply?

“Executed” means signed and refers to the notary.

Must I determine if the person signing before me understands what they are signing?

You are not obligated as the Notary Public to make this determination. If you are not comfortable performing a notarial act, you should not continue.

How can a notarized document be authenticated for use in a foreign county?

Many foreign countries request the appointed Notarial Officer’s signature be authenticated. This can be completed through the Secretary of State’s office because the State of Nevada is the appointing authority. A document in which the signature has been Authenticated will receive an Apostille or Certification. Please tell you customer to go to our website for more information.

Can my employer deny me the right to notarize after hours?

If your employer purchased the bond, they may request that you do not complete notarial acts under that bond, but you are the appointed Notary Public, not your employer.

Your Employer may however prohibit you from charging a fee for a notarial act that you perform within the scope of their employment. 240.100 6.

Do I have to declare that I am a notary if a person off the street asks, "Where can I find a notary?"

No. A Notary Public may, during normal business hours, perform notarial acts in lawful transactions for a person who requests the act and tenders the appropriate fee.

If I leave a job and that employer paid for my becoming a notary, am I no longer a notary?

Your appointment as a Notary Public is not connected to your employer. Your former employer may cancel your bond if they purchased it, and you are required to hold a bond to be in good standing. Even if your employer paid, please do not leave your Stamp or Journal with your employer. The Stamp, Journal, and Certificate of Appointment are the property of the Notary Public.

Is a Notary Public also a Witness?

The principal signer may request to enact an instrument with the presence of "witnesses". A notary cannot serve as both a "witness" and the Notary Public on the same document because a Notarial Officer is restricted from being named within the instrument.

Electronic Notarization Enabling Act

What is an electronic notarial act?

As defined in NRS Chapter 240, an electronic notarial act is any act that an electronic Notary Public of this state is authorized to perform (including taking an acknowledgment or executing a jurat) that is performed using electronic tools or over the internet via digital tools and audio-video communication.

Who can perform electronic notarial acts?

A Notary Public who has registered with an approved platform provider(s) with the Secretary of State's office may complete Notarial Acts by electronic means through the approved platform(s). registered.

Will I be issued a separate commission number for my electronic notary registration?

No. To register an electronic platform provider is an enhancement to your commission. Your commission is still the same and you are still required to comply with the same requirements

What is a digital certificate and why do I need one to perform electronic notarial acts?

A digital certificate, or a digital signature, is how you will sign an electronic document. Your digital certificate is to the document in a way which makes the electronic file tamper evident. It is not just an image of your signature or stamp.

Your solution provider will direct you in how to obtain a digital certificate from a third-party or directly through them.

Can I register as an electronic Notary Public only?

No. You are appointed as Notary Public. You can register a platform provider only if you have an active commission in good standing.

When my traditional Notary Public commission expires, what happens to my electronic Notary Public registration?

It expires with your commission. A Notary Public's commission and all electronic notary registration under that commission run concurrently.

Do I need to purchase another bond to become an electronic Notary Public?

No. The bond filed and submitted for your notary commission will cover all notarial acts performed through your commission, be they in-person or by audio-visual communication using an approved platform.

Can I use a paper journal to record an electronic notarial act?

No. You will also need to store the audio-video recording.

How long do I need to keep my electronic journal and the recordings from the audio-video electronic notarizations?

Your electronic journal must be kept by you, the Notary Public for a period of seven years after the termination of the registration of the electronic Notary Public.

A Message from the Notary Division

Please do not notarize a signature if the signer does not personally appear before you.

A notarial appointment is not to be taken lightly. A Notary Public's appointment may be suspended or revoked for misconduct or failure to comply with statutory requirements. If found in Violation of Statute, you may be liable for a civil penalty. And, an unlawful act, as a Notary Public, will result in a gross misdemeanor.

If you have any questions, our staff is always available to answer your questions.

The Office of the Secretary of State

NOTARY DIVISION

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