



# The Notary Newsletter



The Department of the  
NC Secretary of State



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## *The Holiday Season is Almost Here!*

Before I jump into the holiday season (can you believe it?), I want to take time to personally thank everyone who joined Ozie and me on October 24 for the Raleigh Notary Chat. And a special *THANK YOU* goes to Wake Tech Community College for hosting us. We appreciated the great questions and meeting everyone.

We are pleased to announce the third Notary Chat will be held at Fayetteville Technical Community College in Fayetteville on **December 5th at 5:30 pm** (more details to come). And of course, we are looking forward to more chats in 2023.

As we head into November, I know you notaries are thinking of turkey dinners with all the fixins and Christmas decorations all at the same time. While you are getting your homes ready for the holidays, I want to take this time to encourage you to shop local this season.

Small businesses are still the backbone of North Carolina's economy, and these engines couldn't roar without them. Our office finished the first half of 2022 with the second highest total on record for new business creations during that period - nearly 93,000 new businesses were created between

January and June of this year. And these businesses need our support to thrive.

One way to show your support is to participate in Small Business Saturday - a national annual event the day after Black Friday to encourage holiday shoppers to spend their dollars with small and local retailers and restaurants.

On *Saturday, November 26*, please find a way to patronize a local shop, eatery, or service provider and show them some local love. Click on the video above to see us at the NC State Fair last month visiting Mantra Soap in Morrisville and Anne's Old Fashioned Food Products in Ayden. They are just two of the countless NC local businesses who would relish your patronage this holiday season. Happy Holidays!

*Elaine J. Marshall*

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*If you have any questions for us, please reach out to the Department at [notary@sosnc.gov](mailto:notary@sosnc.gov). We are always happy to help.*



# Notarizing Absentee Ballots for



*[Play Instructional Video - By Clicking Here or on Above Image](#)*

## ***Notarizing An Official Absentee Ballot Return Envelope***

Labor Day has passed, the leaves are changing and fall is officially here! That can only mean one thing, the 2022 midterm elections are around the corner – **Tuesday, November 8th to be exact.**

Absentee ballots are required to be witnessed either by two witnesses or by a single notary. The part that you will be focusing on is the back of the return envelope.

You **MAY NOT** charge a fee for this service.

Here are some quick reminders in case you are asked to notarize an absentee ballot:

- You must ensure that you are in the same physical location as the voter. Personal appearance is a requirement for absentee ballots. Temporary Emergency Video Notarization **CANNOT** be used. Make sure you positively identify the voter just as you would do for any notarial act. This is not a result of any type of voter ID requirement or law – this is the standard operating procedure for performing any notarial act.
- After the voter marks the ballot and places it in the envelope, he or she will seal it and sign and complete Step 2 of the envelope. Make sure you observe the voter mark the ballot and sign the envelope. You want to make sure they are marking the ballot, but be sure to respect their privacy and refrain from attempting to see how they are voting.
- Sign and complete Step 3 of the envelope. Make sure you provide the date, the voter's name, and complete the certificate by signing your name, affixing your seal, and writing your commission expiration date and the county where

this notarial act took place. This is the section that, in notary terms, would be considered the notary certificate.

- If you suspect fraud or forgery, you have an obligation to refuse the notarization.

*You cannot notarize the document if you are a North Carolina notary who works at or owns a hospital, clinic, nursing home, or adult care home and the voter is a patient or resident in your facility.*

*Also, if you hold a federal, state, or local elected office, or if you are a campaign manager or hold an office in a political party you cannot notarize the document. Please refer to the flap of the Official Ballot Return Envelope for more information.*

Hop on the NC State Board of Election's Website at [www.ncsbe.gov](http://www.ncsbe.gov) for more information. We will post the Absentee Voting Instructions and a sample of the Official Ballot Return Envelope on the notary section of our website.

We thank all of our notaries for taking their role in the 2022 Election seriously.

We ask that you take your time to ensure you are not doing anything that might prevent the voter's ballot from being counted. If you have any questions about how to notarize absentee ballots, call us at 919.814.5400 or email us at [notary@sosnc.gov](mailto:notary@sosnc.gov).



## ***EVN Is Back and REN Is On The Way***

With the signing of House Bill 776 into law, Emergency Video Notarization (EVN) is restored until the end of next June when a new Remote Electronic

Notarization (REN) program is scheduled to be implemented. In the meantime, here is what you need to know now:

- **Emergency Video Notarizations (EVN)** have resumed as a stop-gap measure to allow video notarizations while permanent REN procedures are being put in place. *EVN expires on June 30, 2023 at 12:01am.*
- Once REN becomes effective in 2023, you must be a commissioned e-notary to perform remote notarizations under REN (unless you are a court reporter).
- There are new or increased fees that notaries public across the state can charge now. The maximum fee that can be charged per principal signature is now \$10 for acknowledgments, jurats, and verifications or proofs. For oaths or affirmations without a signature, the maximum fee is now \$10 per person, except for the identity of a principal or subscribing witness. The fee for electronic notarizations under G.S. 10B-188 is \$15.
- For any notarial act under 10B, actual mileage at the federal mileage rate can be charged if the travel reimbursement is agreed to by the principal in writing prior to travel. (The State of NC uses the federal mileage rate of 62.5 cents per mile.)
- The new Remote Electronic Notarization fee will be \$25 per principal signature when REN becomes effective in **July of 2023**.

There are a lot of things that the Secretary of State's Office will have to work out over the next year to get ready for REN. We are asking for your patience as we navigate this new law, and we are excited about the new opportunities that REN will open up for our notaries and our state.

Here is a link to EVN resources available on our website: [North Carolina Secretary of State Notary Emergency Video Notarization \(sosnc.gov\)](https://sosnc.gov/notary-emergency-video-notarization)

*If you have any questions for us, please reach out to the Department at [notary@sosnc.gov](mailto:notary@sosnc.gov). We are always happy to help.*

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## ***REN Act Updates: Seeking Public Comments***

Our office is currently seeking comments on the Advance Notice of Proposed Rulemaking (ANPR) #1 until **November 30, 2022**.

To review and submit comments, please visit [www.sosnc.gov/rulemaking](http://www.sosnc.gov/rulemaking). [N.C. Session Law 2022-54](#). The Remote Electronic Notarization Act, or RENA, requires the Secretary of State's Office to adopt permanent rules on a large number of topics that affect how a remotely located principal will be able to have their identity confirmed by notaries located in North Carolina. Adoption of RENA was a direct outcome of the global pandemic, which increased economic activity being conducted remotely, and established the necessity to conduct crucial business, legal, health care, and other transactions safely, securely, and efficiently in the rapidly changing remote environment.

There is widespread interest in this new law and the implementation of RENA. It will likely serve as a national model for other states. The Agency's goal is to establish a system that will continue to promote public confidence in the reliability of signatures and the identification of remotely located principals, and help assure that transactions are not rejected for a variety of reasons, including fraud.

Although the Secretary of State's Office is not required to request public comment at this stage of the rulemaking process, we want to collaborate with stakeholders as we create these rules and make this process transparent. The official public comment period will come when the Agency publishes proposed rules in the North Carolina Register. However, RENA was adopted with robust stakeholder feedback and, to continue that practice, the agency is now seeking public input with an ANPR.

The first of two ANPRs is available [here](#) for review and comment. A second

ANPR - specifically seeking input regarding the technical features, specifications, and standards applicable to the communication required as part of the REN process - is forthcoming.

Please take the time to review ANPR #1 and submit your comments to our office to help make sure we have the most successful remote electronic notarization program in the country.



## Fast Five Q&A

***Q: A question that came to us via social media: Am I allowed to take the notary public course with my college degree being from another country? I have been in North Carolina for more than 20 years.***

Notary applicants must have a minimum of a high school diploma or a GED.

***Q: From our email: How do I change my contact information:***

A notary can change his or her address (residence, business or other), telephone number, email address, or employer information by sending the Department a completed Name/Address Change form found here: [www.sosnc.gov/forms/by\\_title/\\_notary](http://www.sosnc.gov/forms/by_title/_notary).

***Q: From our FB Group: I have heard the word IPEN. What does that mean?***

IPEN is an acronym for "In-Person Electronic Notarization" and is descriptive of North Carolina's electronic notarization model where the eNotary and the principal signer are required to be in close physical proximity at the time of

the electronic notarization.

***Q: From our FB Group: A friend has a paper that needs to be notarized, but it's missing the line for county or state. Can I still notarize it if it just has a space for my signature and seal only?***

You may write in the information related to the venue just above the notarial language, specifically the state and county where the notarization is taking place. In any other instance where the notarial language is incomplete or inappropriate you should opt to download a notarial certificate from the Department's website at <https://sosnc.gov/divisions/notary/resources> rather than attempting to make corrections to the certificate.

***Q: From our FB Group: So here in NC, you don't have to show your ID to vote, however, notaries must see an ID in order to notarize a voter's mail-in ballot. That's correct, right? What do we say if someone questions this?***

You are correct. As a notary, your job is to positively identify the principal as you are required to do with any notarial act. This does not change just because you are notarizing an absentee ballot.

You may explain to the voter that according to the general statute, that you are required to verify their identity because you are performing a notarial act and not due to anything related to voter ID issues whatsoever.

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Do you have a question that you'd like us to answer for the **Fast Five**? Please send in your tips, practice ideas, and questions for us at [notarynews@sosnc.gov](mailto:notarynews@sosnc.gov).

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## Get To "Know" Our Notaries!

Notaries, we know you are doing great things all over North Carolina, and we want everyone else to know it too. Every month, we will feature our notaries (as long as we have submissions). We want to feature YOU!

We'll make it super easy. Just send us a picture of yourself, along with your name, where you are from, the number of years (or months) you have been a commissioned notary, and one fun fact that you want us to know about you.

Email us at [notarynews@sosnc.gov](mailto:notarynews@sosnc.gov).







**Diane B. Harris**  
Cabarrus County

***Diane is a former notary instructor and has been a commissioned notary for 50 YEARS!***

- Recently retired as Clerk to the Board and Certified Municipal Clerk for Cabarrus Health Alliance, Kannapolis NC.
- Previously served as Clerk to the Board for the Kannapolis City Schools Board of Education.
- Commissioned as an NC Notary at age 18.
- Kannapolis City Council member since 2013. Recently elected to 3rd term.
- She was the first e-notary sworn in for Cabarrus County.



**Furney and Tedra Brown**

Craven County

***Furney has been a commissioned notary for 10 years, while Tedra was recently commissioned after a few years hiatus***

Their fun fact is that this notary couple loves to cruise.



**Marion D. Spencer**  
Franklin County

*She has been a notary  
for more than 18 years*

Marion loves riding her Harley  
Davidson Trike.



**Unika Banks**  
Wake County

*Unika became a notary  
loan signing agent in 2014*

The Long Island City native  
enjoys making home  
modifications.



# NC Notary Facebook Group

Have you joined our notary Facebook group yet?

***The North Carolina Notary Network***

Well, what are you waiting for? More than 13,966 notaries around the state are in the group. If you haven't joined yet, click the link and come on in!

The purpose of the group is to connect NC notaries as well as to give notaries an opportunity to share information, tips and ideas with one another.

When answering questions for fellow notaries, we encourage sharing page numbers, statutes or even pictures of citations from the *2016 NC Notary Public Manual*.

Click [here](#) to join today!





## Ways to Give Back This Holiday Season

Many of us experience blessings among blessings all year long - way too many to count in fact. That's why the holiday season is a also a great time to think of those who may not be as fortunate as we are. If you are interested in how you can help spread the holiday cheer to those in need, we've listed just a few of the many ways for you to consider how to help:

- Search our list of charities registered with our Charitable Solicitation Licensing Division. Learn more here: [North Carolina Secretary of State Charities & Fundraisers Search](#)
- Participate in GivingTuesday on November 29. Learn more here: [givingtuesday.org](#)
- Sign up to serve meals in November and December at the local homeless shelter or organizations that provide service to people in need of stable housing
- Donate toys to kids who might not get a visit from Santa through groups like the US Marine Corps Toys for Tots, church groups or organized foster children programs

- Donate Blood. Check out the Red Cross to find out how you can participate in a local blood drive
- Check on your elderly or homebound neighbors and drop off food, holiday decorations or Christmas gifts. Or, to just be good company
- Volunteer at your local food bank, pet shelter, hospital, hospice, or anywhere that can use a helping hand during the holiday season





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