



RULONA

Revised Uniform Law on Notarial Acts

What Changed for Pennsylvania Notaries

The Revised Uniform Law on Notarial Acts (RULONA) took effect on October 26, 2017.

To read RULONA in its entirety, visit the Department of State's website at:
www.dos.pa.gov/Notaries

This white paper is for informational purposes only to help notaries understand the Revised Uniform Law on Notarial Acts (RULONA).



Pennsylvania Association of Notaries

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Eligibility

An applicant for appointment or reappointment as a notary must meet all of the following requirements:

- Be at least 18 years of age
- Be a citizen or permanent legal resident of the United States
- Be a resident of or have a place of employment in Pennsylvania
- Be able to read and write English
- Not be disqualified for a notary commission because of violations/sanctions
- Successfully complete mandatory education
 - First time and reappointing notaries
- Pass the required examination
 - First time notaries
 - Reappointing notaries if they let their commissions lapse
- Have the honesty, integrity, competence and reliability to act as a notary public

NOTE: The Department of State may request that an employer provide written evidence that a notary commission is required for an employee who does not reside in Pennsylvania.



Education and Application

The Department of State requires three hours of approved notary education to be completed within the six months prior to submitting a notary application.

First time notaries must attend notary education and pass a required examination.

All reappointing notaries must complete three hours of continuing education within six months of submitting a notary application. Reappointing notaries who allow their commissions to expire (even by one day) will be required to take and pass the notary examination.

Examination results are valid for one year from the date of the exam.

The required fee sent with the notary application for Department of State processing is \$42.

If you are a member of PAN, we take care of the fees for your application, the \$10,000 notary bond (required) and education in addition to the following items:



Included with a PAN Membership

- Step-by-step assistance to become a PA notary
- A self-inking official notary stamp
- Notary journal (Become a Notary Appointment Package only)
- Copy of *The Practical Guide for Notaries Public in Pennsylvania* (Become a Notary Appointment Package only)
- Four-year PAN membership with unlimited notary support via phone, email, Live Help (online) and access to the Member Portal and exclusive notary news and information



Bond and Oath of Office

An applicant must obtain a notary bond in the amount of \$10,000 upon appointment and reappointment and prior to taking the oath of office.

The bond must:

- Be executed by a surety (insurance) company authorized to do business in Pennsylvania
- Cover acts performed during the term of the notary public commission
- Be in the form prescribed by the Department of State

If a notary violates the Revised Uniform Law on Notarial Acts (RULONA), the surety company may be liable under the bond.

- The surety must give 30 days' notice to the Department of State before cancelling the bond.
- The notary shall notify the Department of State no later than 30 days after making a payment to a claimant under the bond.
- The notary may perform notary acts in Pennsylvania only during the period in which a valid bond is on file with the Department of State.

Upon appointment and reappointment, the bond, oath of office and commission must be recorded in the office of the Recorder of Deeds of the county in which a notary maintains their office of record. An appointee must show proof of identity to the Recorder of Deeds before taking the oath of office.



Official Signature

The official signature of each notary shall be registered in the Prothonotary's office of the county where the notary maintains their office of record. Please call the Prothonotary's office for their hours and fees.

- This must be completed within 45 days after the appointment or reappointment and 30 days after moving to a different county.

In a second-class county (Allegheny, Delaware, Montgomery), the official signature of a notary shall be registered in the office of the clerk of courts within the time periods specified above.

Upon compliance with appointment or reappointment requirements, the Department of State shall issue a commission to the notary for a term of four years.



Employer-Employee Relationship

An employer may pay for the education, application and bond, and the cost of any stamps, seals or other supplies required in connection with the appointment, commission or performance of the duties of a notary employee. This agreement may also include an arrangement that the notary employee remit the notary fees collected to the employer. In addition, the arrangement may also dictate that the notary reimburse the employer for the costs of obtaining a commission if the employee or employer terminate the employment.



Notary Equipment

Official Stamp

An official stamp must be used to authenticate all notary acts, instruments and attestations performed. The stamp must clearly show:

- The words "Commonwealth of Pennsylvania"
- The words "Notary Seal"
- The name of the notary as it appears on his or her commission and the words "Notary Public"
- The name of the county in which the notary maintains their office of record
- The date the notary's commission expires
- The notary's commission number

The stamp may have a maximum height of one inch and width of three and one-half inches with a plain border. It may however, be smaller as long as the impression is legible.

The stamp impression must be capable of being photocopied.

The notary is responsible for the security of their official stamp. It is unlawful for a notary to allow other individuals to use their stamp to perform notary acts.



What to do with your stamp upon ...

Resignation or expiration of commission – A notary must disable their official stamp by destroying, defacing, damaging, erasing or securing it against use in a manner in which it is rendered unusable.

Suspension or revocation of commission – A notary whose commission has been suspended or revoked by the Department of State must promptly surrender possession of their official stamp to the Department of State.

Death of notary – On the death or adjudication of incompetency of a notary, the personal representative or guardian of the notary or any person knowingly in possession of the notary's official stamp must render it unusable by destroying, defacing, damaging, erasing or securing it against use by another person.

Embosser

Use of an embosser is not required. However if used, an embosser (or crimper) must be used in conjunction with an official stamp. Do not place the embossment over the stamp impression, any signature or writing in the document to be notarized.

Journal

Each journal must contain:

- The name of the notary
- The notary's commission number
- The commission expiration date
- The office address of record with the Department of State
- A statement that, in the event of the death of the notary the journal will be delivered or mailed to the office of the Recorder of Deeds in the county where the notary last maintained an office
- The meaning of any not commonly abbreviated words or symbols used in recording a notary act in the journal
- The signature of the notary

Each journal entry must be made at the time of the notarization. The entries must be in chronological order.

A journal shall be bound with numbered pages and entries or in an electronic format that complies with the regulations of the Department of State. The electronic format must be tamper-evident (tamper-proof).

Each journal entry must contain:

- The date and time of the notary act. It is always the date and time in which your customer stands before you in person.
- A description of the record, if any, and the type of notary act
- Notary fee, if charged
- Clerical and administrative fees, if charged
 - If you do not charge a notary fee and/or a clerical and administrative fee, you must enter 0 (zero) or N/C for “No Charge” in these spaces.
- Customer information including name and city and state where the customer lives
- Statement regarding the method of identification and any identification credential presented, including date of issue and expiration date

Other pertinent information may be included.

The notary shall give a certified copy of their journal to a person who applies for it.

A journal is the exclusive property of the notary, no matter who paid for it.

NOTE: A journal may not be given to a notary’s employer upon termination of employment or used by any other person. A copy of the notary’s journal may be left with an employer.

Notary Fees

A notary may choose to charge less or provide services for free, but the notary is not permitted to charge more than the fee set by the Secretary of the Commonwealth.

If a notary charges notary fees, a schedule of notary fees must be displayed where customers can easily see them or provide a printed list of fees to customers upon request. If no fees are charged, the notary is not required to post their fees.

Notary fees charged to customers must be recorded in the notary journal. If a fee is not charged, write the letters N/C for “No Charge” or 0 (zero) in the space where the fee paid would be recorded.

Notary Public Fee Schedule

Taking acknowledgment	\$5.00
Taking acknowledgment	\$2.00
(each additional name)	
Administering oath or affirmation	\$5.00
(per individual)	
Taking verification on oath or affirmation.....	\$5.00
(no matter how many signatures)	
Witnessing or attesting a signature.....	\$5.00
(per signature)	
Certifying or attesting a copy or deposition	\$5.00
Noting a protest of a negotiable instrument	\$3.00
(per page)	



Identification of Customer

NOTE: The notary reserves the right to refuse service at their discretion except in cases otherwise prohibited by law, such as discrimination.

Personal Knowledge – There is personal knowledge of the identity of a customer if the individual is personally known to the notary through dealings sufficient to provide reasonable certainty that the individual is who he or she claims to be.

Credible Witness – The credible witness must be personally known to the notary and must personally know the customer. Both the customer and credible witness must appear in person before the notary.

The credible witness is required to complete a verification on oath or affirmation.

Satisfactory Evidence – A notary has satisfactory evidence of the identity of an individual appearing before him or her if the notary can identify the individual using the following means:

- Passport or passport card issued by the United States Department of State or a foreign government, which is current and unexpired and uses letters, characters and a language that is read, written and understood by the notary
- Driver’s license or non-driver identification card issued by a U.S. state or territory, and a state or territory of Canada or Mexico (which uses letters, characters and a language that is read, written and understood by the notary)
 - Must be current and unexpired
- Identification card issued by any branch of the U.S. armed forces
- Inmate identification card issued by the Pennsylvania Department of Corrections for an inmate who is currently in the custody of the Department

- Identification card issued by the U.S. Department of Homeland Security
- Social Security card
- Medicare card
- Pennsylvania state and state-related university identification card
- Another form of government identification which is current, contains the signature or photograph of the individual and is satisfactory to the notary

The customer may be required to provide additional information and identification to the notary's satisfaction.



Use of Translators

A notary must be able to communicate directly with a customer in a language they both understand, or indirectly through a translator who is physically present with the customer and notary at the time of the notarization. The translator communicates directly with the individual and the notary in a language the translator understands. The notary certificate must be worded and completed using only a language that is read, written and understood by the notary. The notary may perform a notary act on a document that is a translation of a document which is in a language the notary does not understand only if the person performing the translation signs a verification on oath or affirmation stating that the translation is accurate and complete.

The notarized translation and verification on oath or affirmation shall be attached to the document.



Notary Acts

Oath or Affirmation

An oath is a public declaration, usually based on an appeal to a higher power, that the person taking the oath will keep a promise or perform a duty faithfully.

- It involves swearing to a Supreme Being
- Affirmation is a pledge equivalent to an oath but without any reference to a Supreme Being

An oath or affirmation may be verbal or in writing. If in writing, the oath or affirmation will be signed in the notary's presence.

Verification on Oath or Affirmation Wording (includes affidavits)

Signed and sworn to (or affirmed) before me on (date) by (name(s) of individual(s)).

Witnessing or Attesting a Signature Wording (new with RULONA)

Signed (or attested) before me on (date) by (name(s) of individual(s)).

Acknowledgment (individual) Wording

This record was acknowledged before me on (date) by (name(s) of individual(s)).

Acknowledgment (representative capacity) Wording

This record was acknowledged before me on (date) by (name(s) of individual(s)) as (type of authority such as officer or trustee) who represent that (he, she or they) are authorized to act on behalf of _____ whom the record was executed.

Acknowledgment by Attorney-at-Law Wording

This record was acknowledged before me on (date) by (name of attorney) Supreme Court Number _____ as a member of the bar at the Pennsylvania Supreme Court and certified that he/she was personally present when (name(s) of individual(s)) executed the record and that (name(s) of individual(s)) executed the record for the purposes contained therein.

Certified or Attested Copy Wording

I certify that this is a true and correct copy of a (blank) in the possession of (blank).

Certifying or Attesting the Transcript of a Deposition Wording

I certify that this is a true and correct copy of the transcript of the deposition of (individual).

Protest

When a negotiable instrument such as a check, money order or a traveler's check is presented for payment and payment is denied, the instrument is said to be dishonored. The holder of the dishonored instrument may then ask a notary to issue a protest.

When a protest is performed by a notary, it is typically at the request of a bank or other financial institution.



Conflict of Interest

A conflict of interest for a notary includes:

- Notarizing his or her own signature
- Notarizing documents if you or your spouse have a direct or financial interest in the transaction or record other than receiving a regular salary, hourly wage or notary fees
- Notarizing a nomination petition if you, the notary, are the spouse of the political candidate



Name and Address Changes

Notaries must notify the Department of State within 30 days of any change in the information on file with the Department, including the notary's legal name, office address (place of employment), home address and electronic notarization technology (if used). The notice may be made in writing or electronically and shall state the effective date of the change.

Notice of a change in legal name on file with the Department shall be on a form prescribed by the Department and accompanied by evidence of the change (marriage certificate, divorce decree, court order). Notice of the name change shall also be made to the Recorder of Deeds of the county in which the notary maintains an office.

When the legal name of the notary is changed, the notary may continue to perform official acts in the name in which he or she was commissioned, until the expiration of his or her notary term. The Department shall mark the public records relating to the notary name change. Application for reappointment as a notary shall be made in the new name.



Violations

The Department of State may impose an administrative penalty of up to \$1,000 for each violation.

In an investigation or hearing, the Department of State may subpoena witnesses, administer oaths, examine witnesses, take testimony and compel the producing of documents for investigating alleged violations of disciplinary provisions administered by the Department.

The Department may initiate civil proceedings to enforce the requirements of the law and enforce regulations or orders issued under the law. In addition, the Department may request the prosecution of criminal offenses to the extent provided by RULONA or otherwise provided by law relating to notaries, notarial officers or notary acts.

The Department may deny, refuse to renew, revoke, suspend, reprimand or impose a condition on a commission for an act or omission which demonstrates that the individual lacks the honesty, integrity, competence and reliability to act as a notary public. Such acts of omissions include:

- Failure to comply with RULONA
- A fraudulent, dishonest or deceitful misstatement or omission in the application for a commission as a notary submitted to the Department of State
- A finding against, or admission of liability by the applicant or notary in a legal proceeding or disciplinary action based on the fraud, dishonesty or deceit of the applicant or notary
- Failure by the notary to discharge a duty required of a notary, whether by RULONA or by state or federal law

- Use of false or misleading advertising or representation by a notary indicating that the notary has a duty, right or privilege that the notary does not have
- Violation by a notary of a regulation of the Department of State regarding a notary
- Denial, refusal to renew, revocation, suspension or conditioning of a notary commission in another state
- Failure of a notary to maintain a bond relating to appointment and commission as a notary

In addition to the omissions listed above, notaries shall be subject to criminal penalties for:

- Holding him or herself out as a notary or as a notarial officer or to perform a notary act when he or she is not a commissioned notary
- Falsely pretending to be a notary or notarial officer and performing any action under such false pretenses (impersonating a notary)
 - Use of the official notary stamp by a person who is not the notary named on the stamp



Prohibited Acts

1. A notary commission does not authorize the notary to:
 - a. Assist persons in drafting legal records, give legal advice or practice law, unless the notary is also a licensed attorney-at-law;
 - b. Act as an immigration consultant or an expert on immigration matters;
 - c. Represent a person in a judicial or administrative proceeding relating to immigration to the United States, United States citizenship or related matters; or
 - d. Receive compensation for performing any of the activities listed in this section of RULONA.
2. False advertising. The notary may not engage in false advertising or deceptive advertising.
 - a. A notary may not use the term “notario” or “notario publico” unless the notary is also a licensed attorney-at-law.

NOTE: If a notary advertises or represents that he or she offers notary services, whether orally or in a record, including broadcast media, print media and the Internet, the notary shall include the following statement in an advertisement or representation, prominently and in each language used in the ad or representation:

I am not an attorney licensed to practice law in this Commonwealth. I am not allowed to draft legal records, give advice on legal matters, including immigration or charge a fee for these activities.

If the form of advertisement or representation is not broadcast media, print media or the Internet and does not permit inclusion of the statement required by RULONA because of size, it shall be displayed prominently or provided at the place of performance of the notary act before the act is performed.



Electronic Notarization

When you become a commissioned Pennsylvania notary, you may apply for approval to notarize electronically.

In its most basic form, electronic notarization is the process of a commissioned notary affixing an electronic signature and notarial certificate to an electronic document. Examples of electronic documents are word processing documents, email messages, portable document format (PDF) files, documents scanned into an image format such as the software known as Adobe, and Web pages.

Rather than a paper document and an official notary stamp, the notary digitally places his or her identifying information to a document that exists as electronic data in a computer-readable form.

Remember: All steps for an electronic notarization, including personal appearance and proper identification, must still take place.

To obtain approval from the Pennsylvania Department of State to notarize electronically, you must first be a duly appointed and commissioned notary with a current and unrestricted commission.

The electronic notary application is a separate application from the standard first time and reappointment notary applications.

A notary wishing to become an electronic notary must use an electronic notarization solution provider approved by the Department of State.

For more information regarding Pennsylvania's electronic notarization program, visit www.dos.pa.gov.



Who We Are

The **Pennsylvania Association of Notaries (PAN)** is a membership-based notary organization that helps our members avoid making these mistakes by answering their questions via phone, fax, email and online Live Help. Our customer service representatives are well-versed in Pennsylvania notary and motor vehicle laws and answer over 200 questions a day from Pennsylvania notaries.

For more information, call 800-944-8790 Monday-Friday 9 a.m. to 4:30 p.m. or send us an email at PAN@notary.org.