

#### **46-1-2 Definitions.**

As used in this chapter:

- (1) "Acknowledgment" means a notarial act in which a notary certifies that a signer, whose identity is personally known to the notary or proven on the basis of satisfactory evidence, has admitted, in the presence of the notary, to voluntarily signing a document for the document's stated purpose.
- (2) "Commission" means:
  - (a) to empower to perform notarial acts; and
  - (b) the written authority to perform those acts.
- (3) "Copy certification" means a notarial act in which a notary certifies that a photocopy is an accurate copy of a document that is neither a public record nor publicly recorded.
- (4) "Electronic signature" has the same meaning as provided under Section 46-4-102.
- (5) "Jurat" means a notarial act in which a notary certifies that a signer, whose identity is personally known to the notary or proven on the basis of satisfactory evidence, has made, in the notary's presence, a voluntary signature and taken an oath or affirmation vouching for the truthfulness of the signed document.
- (6) "Notarial act" and "notarization" mean any act that a notary is empowered to perform under this section.
- (7) "Notarial certificate" means the part of or attachment to a notarized document for completion by the notary and bearing the notary's signature and seal.
- (8) "Notary" means any person commissioned to perform notarial acts under this chapter.
- (9) "Oath" or "affirmation" means a notarial act in which a notary certifies that a person made a vow or affirmation in the presence of the notary on penalty of perjury.
- (10) "Official misconduct" means a notary's performance of any act prohibited or failure to perform any act mandated by this chapter or by any other law in connection with a notarial act.
- (11) "Personal knowledge of identity" means familiarity with an individual resulting from interactions with that individual over a period of time sufficient to eliminate every reasonable doubt that the individual has the identity claimed.
- (12)
  - (a) "Satisfactory evidence of identity" means identification of an individual based on:
    - (i) valid personal identification with the individual's photograph, signature, and physical description issued by the United States government, any state within the United States, or a foreign government;
    - (ii) a valid passport issued by any nation; or
    - (iii) the oath or affirmation of a credible person who is personally known to the notary and who personally knows the individual.
  - (b) "Satisfactory evidence of identity" does not include:
    - (i) a driving privilege card under Subsection 53-3-207(10); or
    - (ii) another document that is not considered valid for identification.

Amended by Chapter 315, 2009 General Session