

Effective 5/6/2026

46-1-3.6 Remote notarization procedures.

- (1) A remote notary who receives a remote notary certification under Section 46-1-3.5 may perform a remote notarization if the remote notary is physically located in this state.
- (2) A remote notary that performs a remote notarization for an individual that is not personally known to the remote notary shall, at the time the remote notary performs the remote notarization, establish satisfactory evidence of identity for the individual by:
 - (a) communicating with the individual using an electronic device or process that:
 - (i) allows the individual and remote notary to communicate with one another simultaneously by sight and sound; and
 - (ii) complies with rules made under Section 46-1-3.7; and
 - (b) requiring the individual to transmit to the remote notary an image of a form of identification described in Subsection 46-1-2(25)(a)(i)(A) or (B) that is of sufficient quality for the remote notary to establish satisfactory evidence of identity.
- (3)
 - (a) A remote notary shall create an electronic recording of each remote notarization and store the recording in accordance with Sections 46-1-41.1 and 46-1-15.
 - (b) A remote notary shall take reasonable steps, consistent with industry standards, to ensure that any non-public data transmitted or stored in connection with a remote notarization performed by the remote notary is secure from unauthorized interception or disclosure.
- (4) Notwithstanding any other provision of law, a remote notarization lawfully performed under this chapter satisfies any provision of state law that requires an individual to personally appear before, or be in the presence of, a notary at the time the notary performs a notarial act.

Amended by Chapter 56, 2026 General Session