

Effective 8/31/2020

46-1-7 Disqualifications.

A notary may not perform a notarial act if the notary:

- (1) is a signer of the document that is to be notarized, except for:
 - (a) a self-proved will as provided in Section 75-2-504; or
 - (b) a self-proved electronic will as provided in Section 75-2-1408;
- (2) is named in the document that is to be notarized except for:
 - (a) a self-proved will as provided in Section 75-2-504;
 - (b) a self-proved electronic will as provided in Section 75-2-1408;
 - (c) a licensed attorney that is listed in the document only as representing a signer or another person named in the document; or
 - (d) a licensed escrow agent, as defined in Section 31A-1-301, that:
 - (i) acts as the title insurance producer in signing closing documents; and
 - (ii) is not named individually in the closing documents as a grantor, grantee, mortgagor, mortgagee, trustor, trustee, vendor, vendee, lessor, lessee, buyer, or seller;
- (3) will receive direct compensation from a transaction connected with a financial transaction in which the notary is named individually as a principal; or
- (4) will receive direct compensation from a real property transaction in which the notary is named individually as a grantor, grantee, mortgagor, mortgagee, trustor, trustee, beneficiary, vendor, vendee, lessor, lessee, buyer, or seller.

Amended by Chapter 1, 2020 Special Session 6