

ONV1 - What is an Online Notary

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Hello and welcome to the Texas Secretary of State's Online Notary Training Series.

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In this lesson, we will explain the differences between an online notary and a traditional notary public.

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We will also discuss the statutes and rules that govern online notaries and outline the materials needed for online notarizations.

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To become an online notary public, you must first be commissioned as a traditional Texas notary public.

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An online notary performs the same tasks and responsibilities as a traditional notary with one key difference.

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Online notaries conduct notarizations using a secure two way audio visual conference.

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An online notary must fulfill all the same responsibilities as a traditional notary, which include ensuring the signer is present at the time of notarization, identifying the signer using a valid method of identification, making a record of the notarization in your record book, and performing the notarial act using your signature and seal.

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The main difference between a traditional notarization and an online notarization lies in the methods used to perform these tasks.

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Online notaries are regulated by the Texas Government Code Chapter 406, the Texas Civil Practice and Remedies Code Chapter 121, and the Texas Administrative Code Chapter 87.

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To perform an online notarization in Texas, the notary public must be physically located within the state, but the signer can be anywhere in the world.

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An online notary must possess A valid digital certificate that is issued under the name on their traditional notary Commission.

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The certificate must be X509 compliant and meet the validation requirements established by the Secretary of State.

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Additionally, the online notary must have an electronically created notary public seal.

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Both the digital certificate and the electronic seal must be capable of being applied to a document electronically while the online notarization session is being recorded.

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An online notary is required to record notarizations in their traditional notary record book and must have the means to record the two way audio visual conference and save this recording in a safe and secure manner.

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Furthermore, an online notary must use a secure two way video and audio conference system that protects against unauthorized interception and allows the session to be recorded with clear audio and video quality.

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It is important that online notaries only use the digital certificate and electronic seal that were submitted with their application to the Secretary of State's Office when performing notarizations.

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Online notaries are not permitted to use multiple digital certificates or electronic seals.

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If an Online Notaries digital certificate expires during their Commission term, they must obtain A valid new digital certificate and provide this updated certificate to the Secretary of State's Office before conducting any notarizations.

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A notary public who is commissioned as both a traditional notary and an online notary has the option to surrender their Commission with the Secretary of State's Office.

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If a notary decides to surrender their traditional Commission, they must also surrender their online notary Commission.

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It is not possible to serve as an online notary without also being a traditional notary.

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As an online notary public, there are specific limitations on the types of documents you are allowed to notarize.

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According to the Texas Business and Commerce Code 322.003, online notaries public cannot perform online notarizations for wills, codicils, or testamentary trusts.

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An online notary is permitted to charge up to \$25 for each completed notarization in addition to standard notary fees.

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However, they cannot impose any extra fees for using a specific platform or system alongside the permitted fees.

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If an online notary charges more than allowed for their services, the Secretary of State's office may take disciplinary action against their Commission.

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According to Texas Government Code sections 603.006 and 603.007, online notaries must maintain a record of any fees charged for notarizations.

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They are also required to provide an itemized receipt to the signer for each notarization, detailing both the online notarization fee and the traditional notary fees.

5:08

Thank you for watching our online notary training video.

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What is an online notary public?

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We hope you learned about Texas Online Notaries Public and invite you to continue your notary education by watching more of our educational videos on our Texas Secretary of State's website.