



**Rules of
Elected Officials**
Division 30—Secretary of State
**Chapter 110—Notary Use of Electronic Signatures
and Seals**

Title	Page
15 CSR 30-110.010 Electronic Notary Definitions	3
15 CSR 30-110.020 Electronic Signatures and Seals	3



Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 110—Notary Use of Electronic
Signatures and Seals

15 CSR 30-110.010 Electronic Notary Def-
initions

PURPOSE: This rule provides definitions pertaining to the use of electronic signatures and seals by notaries.

(1) The following definitions, except where inconsistent with Chapter 486, RSMo, shall mean:

(A) “Capable of independent verification” means that any interested person may confirm the validity of a notary public’s identity and authority through a publicly accessible system;

(B) “Electronic” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities;

(C) “Electronic signature” means a symbol that is executed with technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities and is attached to or logically associated with an electronic record and is executed or adopted by a person with the intent to sign the record;

(D) “Electronic seal” means an electronic representation of a notary’s seal;

(E) “Electronic notarial certificate” means the portion of a notarized electronic document that is completed by the notary public, bears the notary public’s electronic signature and electronic seal, and meets all other statutory requirements of this state regarding notarial certificates;

(F) “Principal” means an individual whose signature is notarized, or an individual, other than a witness required for the electronic notarization, taking an oath or affirmation from the notary public;

(G) “Record” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form; and

(H) “Sole control” means at all times being in the direct physical custody of the notary public or safeguarded by the notary with a password or other secure means of authentication.

*AUTHORITY: section 486.275, RSMo 2016. * Emergency rule filed Dec. 21, 2016, effective Dec. 31, 2016, expired June 28, 2017. Original rule filed Dec. 21, 2016, effective June 30, 2017.*

**Original authority: 486.275, RSMo 1977, amended 2016.*

15 CSR 30-110.020 Electronic Signatures
and Seals

PURPOSE: This rule describes the process for notary use of electronic signatures and seals.

(1) A notary may use an electronic seal in the performance of a notarial act.

(2) In using an electronic signature and seal in the performance of a notarial act, the notary public must adhere to all applicable laws of this state that apply to notaries public.

(3) When a notarial act requires an electronic record to be signed, the principal must appear in person before the notary public.

(4) A notary public must keep in the sole control of the notary any system used to produce the notary’s electronic signature and seal.

(5) The electronic signature and seal of a notary public shall contain the notary’s name exactly as indicated on the notary’s commission, and the electronic seal must contain all elements of a notary seal required by law and meet all other statutory requirements of this state regarding notary seals.

(6) If an electronic signature or seal is used in the performance of a notarial act, a notary public shall complete an electronic notarial certificate that is attached or logically associated with the notary’s electronic signature and seal.

(7) The secretary of state shall publish on the secretary’s website the name of duly commissioned notaries and commission number of notaries for the purposes of being capable of independent verification.

*AUTHORITY: section 486.275, RSMo 2016. * Emergency rule filed Dec. 21, 2016, effective Dec. 31, 2016, expired June 28, 2017. Original rule filed Dec. 21, 2016, effective June 30, 2017.*

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