

CALIFORNIA REMOTE ONLINE NOTARIZATION



On September 23, 2023, Governor Newsom signed California Senate Bill 696 (SB 696), making California the 44th state to enact remote online notarization (RON) legislation. Although SB 696 has an effective date of January 1, 2024, it includes various phases with key provisions that will take several years to implement.

The initial phase of SB 696, effective January 1, 2024, updates the language in statutes governing out-of-state notarial acts, and adds provisions to give effect to a notarial act, including remote online notarizations, performed in another state, under the authority and within the jurisdiction of a federally recognized Indian tribe, under federal law, or under the authority and within the jurisdiction of a foreign state, as if it were performed by a notarial officer of this state, if specified conditions are met.

It is reported that Fannie Mae will be accepting RON transactions involving California properties on January 1, 2024. It is also reported that some RON platform providers will

KEY TAKEAWAYS FOR JANUARY 1, 2024

- RON is **only** operative for **out-of-state** notaries. Notaries in California are not permitted to conduct RON transactions.
- Out-of-state RON transactions will be accepted by California Recorder's offices in counties that e-record.
- Fannie Mae will accept RON transactions on California properties if the notary is outside of California.
- Many RON platform providers will open their platforms to California transactions where RON is performed outside of California.

be opening their platforms for use on California properties where the RON transaction is performed in another state.

The next phase, set to commence on January 1, 2025, requires online notarization platform providers to verify their ability to facilitate a RON transaction. SB 696 further requires that all RON platform providers provide the principal with a copy of the journal entry and audio-video recording in the quickest time frame possible.

The final phase, anticipated to begin by January 1, 2030, will enable California notary publics and online notarization platform providers to carry out RON transactions in California following technological upgrades by the California Secretary of State's office (CA SOS). Upon completion of the technology project, notary publics and online notarization platform providers will have to apply for registration with the CA SOS and meet applicable requirements before conducting any RON transactions.

For more information, please contact your local Old Republic Title representative, or visit our website at oldrepublictitle.com.