

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Notary Public Act is amended by
5 changing Section 2-102 as follows:

6 (5 ILCS 312/2-102) (from Ch. 102, par. 202-102)

7 Sec. 2-102. Application.

8 (a) Application for notary public commission. Every
9 applicant for appointment and commission as a notary shall
10 complete an application in a format prescribed by the
11 Secretary of State to be filed with the Secretary of State,
12 stating:

13 (1) the applicant's official name, as it appears on
14 his or her current driver's license or state-issued
15 identification card;

16 (2) the county in which the applicant resides or, if
17 the applicant is a resident of a state bordering Illinois,
18 the county in Illinois in which that person's principal
19 place of work or principal place of business is located;

20 (3) the applicant's residence address, as it appears
21 on his or her current driver's license or state-issued
22 identification card;

23 (4) the applicant's e-mail address;

1 (5) the applicant's business address if different than
2 the applicant's residence address, if performing notarial
3 acts constitutes any portion of the applicant's job
4 duties;

5 (6) that the applicant has resided in the State of
6 Illinois for 30 days preceding the application or that the
7 applicant who is a resident of a state bordering Illinois
8 has worked or maintained a business in Illinois for 30
9 days preceding the application;

10 (7) that the applicant is a citizen of the United
11 States or lawfully admitted for permanent residence in the
12 United States;

13 (8) the applicant's date of birth;

14 (9) that the applicant is proficient in the English
15 language;

16 (10) that the applicant has not had a prior
17 application or commission revoked due to a finding or
18 decision by the Secretary of State;

19 (11) that the applicant, prior to the completion of
20 the application, if the applicant has ever been convicted
21 of a felony, has completed all requirements of all felony
22 case sentences, and 10 years have passed since the
23 completion of all felony sentences ~~has not been convicted~~
24 ~~of a felony;~~

25 (12) that the applicant's signature authorizes the
26 Office of the Secretary of State to conduct a verification

1 to confirm the information provided in the application,
2 including a criminal background check of the applicant, if
3 necessary;

4 (13) that the applicant has provided satisfactory
5 proof to the Secretary of State that the applicant has
6 successfully completed any required course of study on
7 notarization; and

8 (14) any other information the Secretary of State
9 deems necessary.

10 (b) Any notary appointed under subsection (a) shall have
11 the authority to conduct remote notarizations.

12 (c) Application for electronic notary public commission.
13 An application for an electronic notary public commission must
14 be filed with the Secretary of State in a manner prescribed by
15 the Secretary of State. Every applicant for appointment and
16 commission as an electronic notary public shall complete an
17 application to be filed with the Secretary of State, stating:

18 (1) all information required to be included in an
19 application for appointment as an electronic notary
20 public, as provided under subsection (a);

21 (2) that the applicant is commissioned as a notary
22 public under this Act;

23 (3) the applicant's email address;

24 (4) that the applicant has provided satisfactory proof
25 to the Secretary of State that the applicant has
26 successfully completed any required course of study on

1 electronic notarization and passed a qualifying
2 examination;

3 (5) a description of the technology or device that the
4 applicant intends to use to create his or her electronic
5 signature in performing electronic notarial acts;

6 (6) the electronic signature of the applicant; and

7 (7) any other information the Secretary of State deems
8 necessary.

9 (d) Electronic notarial acts. Before an electronic notary
10 public performs an electronic notarial act using audio-video
11 communication, he or she must be granted an electronic notary
12 public commission by the Secretary of State under this
13 Section, and identify the technology that the electronic
14 notary public intends to use, which must be approved by the
15 Secretary of State.

16 (e) Approval of commission. Upon the applicant's
17 fulfillment of the requirements for a notarial commission or
18 an electronic notary public commission, the Secretary of State
19 shall approve the commission and issue to the applicant a
20 unique commission number.

21 (f) Rejection of application. The Secretary of State may
22 reject an application for a notarial commission or an
23 electronic notary public commission if the applicant fails to
24 comply with any Section of this Act.

25 (Source: P.A. 102-160, eff. 6-5-23 (See Section 91 of P.A.
26 103-562 for effective date of P.A. 102-160); 102-1030, eff.

HB4277 Enrolled

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