



Notice of Adoption

Office of the Secretary of State Notary Program Rules 8 CCR 1505-11

October 7, 2014

I. Adopted Rule Amendments

As authorized by the Colorado Notaries Public Act¹ and the State Administrative Procedure Act², the Colorado Secretary of State gives notice that the following amendments to the Notary Program Rules³ are adopted on a permanent basis.

The following rules were considered at the September 16, 2014 rulemaking hearing in accordance with the State Administrative Procedure Act⁴.

Please note the following formatting key:

Font effect	Meaning
Sentence case	Retained/modified current rule language
SMALL CAPS	New language
Strikethrough	Deletions
<i>[Italic blue font text]</i>	Annotations and publication notes

[Current 8 CCR 1505-11 is stricken in its entirety and re-codified as follows:]

Rule 1. Definitions

[Current Rules 7.1 A, B, and D are amended and recodified as New Rules 1.1, 1.2, and 1.3. Under Current Rule 1, sub rules 1, 2, and 3 are amended and recodified as New Rules 1.4, 1.5, and 1.6. Current Rule 7.1.E is amended and recodified as New Rule 1.7]

¹ Article 55, Title 12 of the Colorado Revised Statutes.

² Section 24-4-103(3)(a), C.R.S. (2014).

³ 8 CCR 1505-11.

⁴ Section 24-4-103(3)(a), C.R.S. (2014).

~~7.1.A.1.1~~ **“Approved Course of Instruction”**“APPROVED COURSE OF INSTRUCTION” means a live classroom or webcast course that is approved by the ~~secretary of state~~ SECRETARY OF STATE.

~~7.1.B.1.2~~ **“Approved Vendor”**“APPROVED VENDOR” means a vendor approved by the ~~secretary of state~~ SECRETARY OF STATE who provides an approved course of instruction to notaries and prospective notaries for a fee.

~~7.1.D.1.3~~ **“Course Provider”**“COURSE PROVIDER” means ~~a corporation, company, commercial enterprise, association, or educational institution~~ AN ENTITY OTHER THAN AN INDIVIDUAL that provides a course of instruction for its employees or members, usually free of charge, by using a curriculum provided by the ~~secretary of state~~ USES THE SECRETARY OF STATE’S CURRICULUM, IN ADDITION TO ANY ENTITY-SPECIFIC PRACTICES, TO PROVIDE NOTARY TRAINING TO ITS EMPLOYEES OR MEMBERS FREE OF CHARGE.

~~1. 1.4~~ **“Document authentication number”**“DAN” means ~~a~~ THE UNIQUE DOCUMENT AUTHENTICATION number issued by the Secretary of State ~~that includes the Secretary of State’s accounting system validation number issued to each notary upon commissioning and a randomly generated number that when used together may constitute the notary’s electronic signature and identify both the individual notary and the document to which the document authentication number has been affixed~~ AND REQUIRED BY SECTIONS 12-55-106.5, 12-55-111(4), AND 12-55-112(4.5)(B), C.R.S., FOR ELECTRONIC NOTARIZATIONS.

~~2. 1.5~~ “Electronic notarization” means ~~the performance of a notarial act that involves~~ A NOTARY’S NOTARIZATION OF electronic records ~~and~~ THAT includes the notary’s AND THE DOCUMENT SIGNER’S electronic ~~signature~~ SIGNATURES.

~~3. 1.6~~ “Electronic notarization software” means any software, coding, disk, card, certificate, or program that ~~may be employed to create and affix~~ CREATES AND AFFIXES the notary’s electronic signature.

~~4. “Notary’s electronic signature” means the document authentication number(s) issued by the Secretary of State when accompanied by the information required in 12-55-106.5(1) or an electronic signature approved pursuant to Rule 2.~~

~~7.1.E. 1.7~~ **“New Applicant”**“NEW APPLICANT” means a person ~~who has never before been a commissioned~~ SEEKING A COMMISSION AS A COLORADO notary ~~in Colorado~~ FOR THE FIRST TIME or a formerly commissioned notary in Colorado whose commission has BEEN expired ~~by 31 days or more~~ FOR MORE THAN 30 DAYS.

[Current Rule 2 is amended and recodified as New Rule 2.2]

New Rule 2:

Rule 2. Notary Commissions

2.1 FILING AND TRAINING REQUIREMENTS

2.1.1 ALL NOTARY FILINGS MUST BE SUBMITTED VIA THE SECRETARY OF STATE'S ONLINE ELECTRONIC FILING SYSTEM.

[Current Rules 7.2.1.A and 7.2.1.C are amended and recodified as New Rules 2.1.2 and 2.1.4.]

~~7.2.1 A. — **New Applicants.** Every new applicant for a notary commission shall complete an approved course of instruction within six (6) months preceding his application, and pass an examination administered by the secretary of state prior to submitting an application for appointment.~~

~~7.2.1 C. — **Notary Misconduct.** If the secretary of state determines upon a full investigation that a notary public has committed misconduct, the secretary of state may require the notary public to successfully complete an approved course of instruction and pass an examination administered by the secretary of state as remediation for the disposition of the case. Misconduct within the meaning of these rules shall be considered actions by the notary that require a letter of admonition or commission suspension while holding the office of notary public. A notary who is admonished and is required to complete an approved course of instruction and pass an examination administered by the secretary of state may appeal this determination as provided in article 4 of title 24, C.R.S.~~

[The first sentence of Current Rule 7.2.1.C is amended and recodified as part of New Rule 2.1.4. The rest of Current Rule 7.2.1.C is repealed.]

2.1.2 NO MORE THAN SIX MONTHS BEFORE APPLYING FOR A COMMISSION, A NEW APPLICANT MUST SUCCESSFULLY COMPLETE TRAINING AND PASS THE EXAM ADMINISTERED BY THE SECRETARY OF STATE.

2.1.3 THE SECRETARY OF STATE WILL GRANT CREDIT ONLY FOR COMPLETION OF COURSES OFFERED BY AN APPROVED VENDOR, AN APPROVED COURSE PROVIDER, OR THE SECRETARY OF STATE.

2.1.4 THE SECRETARY OF STATE MAY REQUIRE A NOTARY WHO HAS COMMITTED MISCONDUCT MERITING A DISCIPLINARY PROCEEDING TO RETAKE AND SUCCESSFULLY COMPLETE THE TRAINING AND EXAM.

[Current Rule 7.4.A and part of Current Rule 7.4.B are amended and recodified as New Rule 2.1.5.]

~~7.4 2.1.5 **Examination** EXAMINATION. 7.4.A. **Form.** The SECRETARY OF STATE'S OPEN BOOK examination will test the applicant's ~~competency~~ UNDERSTANDING of the Notaries Public Act. The examination shall be comprised of no less than 25 questions and shall be administered by the secretary of state. NOTARY DUTIES CONTAINED IN THE FOLLOWING:~~

(A) TITLE 12, ARTICLE 55 (THE NOTARIES PUBLIC ACT) OF THE COLORADO REVISED STATUTES;

- (B) TITLE 38, ARTICLE 30 (TITLES AND INTERESTS) OF THE COLORADO REVISED STATUTES;
- (C) TITLE 1, ARTICLE 40 (INITIATIVE AND REFERENDUM) OF THE COLORADO REVISED STATUTES; AND
- (D) THE OFFICIAL NOTARY HANDBOOK PUBLISHED BY THE SECRETARY OF STATE.

~~7.4.B. Content. The examination shall be an open book examination of the laws and duties of a notary contained in title 12, article 55 and title 38, article 30 of the Colorado Revised Statutes and the official notary handbook published by the secretary of state.~~

[New Rule 2.2]

Rule 2. Electronic Signature Registration

2.2 ELECTRONIC NOTARIZATION

[Under Current Rule 2, sub rules 1, 2, and 3 are amended and recodified as New Rule 2.2.1 below.]

- ~~1. Before performing any electronic notarization, an applicant or a notary shall file with the Secretary of State a notification of intent to notarize documents electronically. This notification may be submitted at the time of application for a notary commission or at any subsequent time during the notary's term of commission.~~
- ~~2. A submitted notification shall not be deemed filed until it has been approved and an approval certificate has been issued by the Secretary of State. A notification submitted at the time of application for a commission shall not be deemed filed unless and until the application is accepted and the notary is commissioned by the Secretary of State and the approval certificate has been issued.~~
- ~~3. Notification of intent to notarize electronically shall be on forms prescribed by the Secretary of State, and shall include a statement whether the applicant or notary will use only document authentication numbers as his or her electronic signature. If the applicant or notary indicates an intention to use a different electronic signature than document authentication numbers, then the notification of intent shall also be accompanied by an example of the electronic signature that will be used by the applicant or notary, and shall include the following information:
 - ~~(a) A description of the technology that will be used for the notary's electronic notarizations, specifically for the creation of the notary's electronic signature;~~
 - ~~(b) The name, address, telephone number, and web or e-mail address of the supplier or vendor of such technology; and~~
 - ~~(c) Such other information as the Secretary of State finds necessary to confirm that the technology complies with the requirements of the Colorado Notaries Public Act, article 55 of title 12 of the Colorado Revised Statutes.~~~~

2.2.1 A NOTARY MUST SUBMIT A NOTICE OF INTENT ON THE APPROVED FORM AND RECEIVE APPROVAL FROM THE SECRETARY OF STATE BEFORE THE NOTARY MAY ELECTRONICALLY NOTARIZE A DOCUMENT. A NEW APPLICANT MAY FILE THE INTENT AT THE TIME OF APPLICATION BUT MAY ONLY ELECTRONICALLY NOTARIZE A DOCUMENT AFTER HE OR SHE HAS BEEN COMMISSIONED AND APPROVED. IF THE APPLICANT INTENDS TO USE A DIFFERENT ELECTRONIC SIGNATURE THAN A DAN, THE APPLICANT MUST ATTACH AN EXAMPLE OF THE ELECTRONIC SIGNATURE, A DESCRIPTION OF THE ELECTRONIC SIGNATURE TECHNOLOGY, AND CONTACT INFORMATION FOR THE TECHNOLOGY'S SUPPLIER OR VENDOR. A NOTARY MUST NOTIFY THE SECRETARY OF STATE OF ALL ELECTRONIC SIGNATURE CHANGES.

[Current Rule 2, subrule 4(a) is repealed.]

~~4. If the notary is certified to notarize electronically:~~

~~(a) The Secretary of State will:~~

~~(1) Provide an electronic log to the notary that contains a series of document authentication numbers. Such log shall constitute the journal referenced in section 12-55-104(2) CRS.~~

~~(2) Maintain a record of the series of numbers issued at the offices of the Secretary of State.~~

[Current Rule 2, subrule 4(b) is amended and recodified as New Rule 2.2.2.]

~~2.4(b)-2.2.2 The notary may use the document authentication numbers provided in the electronic log as the notary's electronic signature, provided that the notary's name, the words "NOTARY PUBLIC" and "STATE OF COLORADO", and the words "my commission expires," followed by the expiration of the notary's commission, accompany each authentication number so used. A NOTARY MUST INCLUDE HIS OR HER NOTARY IDENTIFICATION NUMBER IN AN ELECTRONIC NOTARIZATION.~~

[New Rule 2.2.3.]

2.2.3 FOR PURPOSES OF SECTION 12-55-106.5(1), C.R.S., A NOTARY'S NAME MEANS THE NOTARY'S PRINTED LEGAL NAME.

[Current Rule 2, subrules 4(c) and (d) are amended and recodified as New Rules 2.2.4 (a) and (b).]

2.2.4 A NOTARY MUST:

~~2.4(e)-(A) A USE A different document authentication number shall be used DAN for each electronic notarization that the notary performs.;~~

~~2.4(d)-(B) A notary shall take TAKE reasonable measures to secure his or her journal of authentication numbers ASSIGNED DANs against ANOTHER PERSON'S access or use by other persons, and shall MUST not, under any circumstances, permit such access or use by another.;~~ AND

- (C) REQUEST NEW DANs TO REPLACE LOST OR STOLEN DANs AFTER NOTIFYING THE SECRETARY IN THE SAME MANNER AS FOR A JOURNAL OR SEAL.

[Part of Current Rule 5 is amended and recodified as New Rule 2.2.4(c) above.]
[Current Rule 2, subrule 5 is repealed.]

~~2.5. Any form of electronic signature must:~~

- ~~(a) Be discrete to the individual submitting the electronic signature;~~
- ~~(b) Be retrievable from the electronic document in perceivable form.~~

[Current Rule 4 is amended and recodified as New Rule 2.2.5.]

Rule 4 Electronic Notarization of Signature

~~A notary shall electronically notarize a document only if the notary can~~

- 2.2.5 A NOTARY MUST verify that the document signer is issuing a signature that the signer has adopted AN ELECTRONIC SIGNATURE to function as his or her signature BEFORE ELECTRONICALLY NOTARIZING A DOCUMENT.

[Current Rule 3 is amended and recodified as New Rule 2.2.6:]

Rule 3 Expiration of Notice to Notarize Electronically

2.2.6 EXPIRATION OF THE SECRETARY OF STATE'S APPROVAL TO NOTARIZE ELECTRONICALLY

~~1.(A) The approval to electronically notarize shall expire when APPROVAL AUTOMATICALLY EXPIRES:~~

~~(a)(1) The commission for which it was filed expires UPON REVOCATION, EXPIRATION, OR RESIGNATION OF THE NOTARY'S COMMISSION;~~

~~(b) The commission for which it was filed is revoked;~~

~~(c)(2) Thirty 30 days have elapsed after the notary's name changes, unless the notary sooner submits PREVIOUSLY SUBMITTED a change of name CHANGE pursuant to section 12-55-114 CRS, including with the submission, if the notary uses a different signature than the document authentication numbers issued by the Secretary of State, a description and example of the notary's new electronic signature, in accord with section 3 of Rule 2 of these Rules Concerning Electronic Notarization.~~

~~(d)(3) The notary, during his or her commission term, resigns the commission, is convicted UPON CONVICTION of a felony, ceases to reside in Colorado, or dies;~~

~~(4) IF THE NOTARY MOVES OUT OF COLORADO; OR~~

- ~~(e)(5) The UPON THE EXPIRATION OR REVOCATION OF THE technology described in the notification changes;~~
- ~~(f) The technology described in the notification expires or is revoked, if applicable; or~~
- ~~(g) The supplier or vendor goes out of business or for any other reason no longer supplies the technology described in the notification.~~

[Current Rule 3, subrules 2 and 3, are amended and recodified as New Rule 2.2.6(b):]

~~2. Except as provided in section (3) of this Rule 3, when a notary's approval to notarize electronically expires, the notary or the notary's duly authorized representative shall, within 30 days after such expiration, permanently erase, delete, or destroy the notary's electronic notarization software, if applicable, and, if the notary has elected to use document authentication numbers provided by the Secretary of State as his or her electronic signature, any and all unused authentication numbers.~~

~~3. If a notary's signature notification expires solely on account of the expiration of the notary's commission, the notary need not permanently erase, delete, or destroy the electronic notarization software if the notary is recommissioned and reregisters his or her electronic signature within 30 days after the commission expiration.~~

(B) IF APPROVAL EXPIRES, THE NOTARY OR THE NOTARY'S AUTHORIZED REPRESENTATIVE MUST DESTROY ALL ELECTRONIC NOTARIZATION SOFTWARE AND UNUSED DANs UNLESS:

(1) THE NOTARY'S COMMISSION EXPIRED; AND

(2) WITHIN 30 DAYS OF THE COMMISSION'S EXPIRATION, THE SECRETARY OF STATE RECOMMISSIONS THE NOTARY AND THE NOTARY REREGISTERS HIS OR HER ELECTRONIC SIGNATURE.

[Current Rule 4 is amended and recodified as New Rule 2.2.5.]

[Part of Current Rule 5 is amended and recodified as New Rule 2.2.4(c)]

Rule 5 Lost or Compromised Document Authentication Numbers

~~If a notary loses his or her document authentication numbers, or becomes aware that any person other than the Secretary of State has access to, or control of, such authentication numbers, s/he shall notify the Secretary of State in the same manner as for a lost journal or seal pursuant to section 12-55-113 CRS. The Secretary of State shall, upon request of the notary, issue a new electronic journal of electronic signatures to the notary.~~

[Current Rule 6 is repealed.]

Rule 6 Effective Date

~~These Rules Concerning Electronic Notarizations shall take effect November 30, 2004.~~

[Current Rule 7 is amended and recodified as New Rule 3.]

RULE 7—~~RULE 3. Notary Training~~—TRAINER REQUIREMENTS

7.1—~~Definitions~~

[Current Rule 7.1.A is amended and recodified as New Rule 1.1.]

[Current Rule 7.1.B is amended and recodified as New Rule 1.2.]

[Current Rule 7.1.C is repealed.]

~~7.1.C. “Best Practices” means notary practices that are not necessarily codified in statute or rule that encourage compliance with the notary law and promote proper notarization.~~

[Current Rule 7.1.D is amended and recodified as New Rule 1.3]

[Current Rule 7.1.E, concerning the definition of "New Applicant", is amended and recodified as New Rule 1.7.]

[Current Rule 7.1.F is repealed.]

~~7.1.F. “Renewing Applicant” means a notary who has submitted an application for a notary commission before a previous commission has expired or a notary whose commission has expired for no more than 30 days.~~

7.2 ~~Notary Public Training and Examination~~

7.2.1—~~Applicant Status~~

[Current Rule 7.2.1.A, concerning new applicants, is recodified as New Rule 2.1.2.]

[Current Rule 7.2.1.B is repealed.]

~~B.—**Renewing Applicants.** A renewing applicant is not required to successfully complete an approved course of instruction or pass an examination administered by the secretary of state.~~

[The first sentence of Current Rule 7.2.1.C is amended and recodified as part of New Rule 2.1.4. The rest is repealed.]

[Current Rule 7.2.2 is amended and renumbered as 3.2.1. Please see new revision below.]

7.2.3—~~Vendors~~

~~A.—**Vendors.** A vendor shall be approved by the secretary of state before offering a course of instruction for which the secretary of state will give credit for successful completion. The office of the secretary of state shall permit approved vendors to conduct notary training courses so long as they comply with the provisions set forth in these rules.~~

[The first sentence of Current Rule 7.2.3.A is amended and recodified as part of New Rule 3.2. The second sentence of Current Rule 7.2.3.A is repealed.]

[Current Rule 7.2.3.B.1, concerning complaints against approved vendors, is amended and recodified as 3.6.3.]

[Current Rule 7.2.3.B.2 is repealed.]

~~7.2.3.B.2~~ Whenever the secretary of state or the secretary of state's designee believes that a violation of these rules has been committed by an approved vendor, the secretary of state or the secretary of state's designee may investigate any such violation with or without the filing of a complaint.

[The information provided in Current Rule 7.2.3.B.3 is amended and recodified as part of New Rule 3.6.4(e).]

~~7.2.3.B.3~~ Failure of an approved vendor to cooperate with a secretary of state investigation shall result in a termination of the approved vendor's accreditation status, subject to the provisions of article 4 of title 24, C.R.S.

[Current Rule 7.2.3.C is amended and recodified as New Rule 3.6.1.]

[Current Rule 7.2.3.D is amended and recodified as New Rule 3.4.1.]

[Current Rule 7.2.4.A is repealed.]

7.2.4 Vendors and Accreditation

~~A. Requirements for Curriculum Accreditation.~~ All curricula intended to provide an approved course of instruction to new or renewing applicants must conform to the requirements of these rules and shall be approved by the secretary of state prior to use.

[Current Rule 7.2.4.B is amended and recodified as New Rules 3.1, 3.1.1 and 3.1.2. Information from Current Rule 7.3.B is integrated into New Rule 3.1. Current Rule 7.3.C is amended and recodified as New Rule 3.1.1(b).]

~~7.2.4.B.~~ 3.1 **Application.** TRAINER APPLICATION

3.1.1 A ~~vendor shall~~ COURSE PROVIDER APPLICANT MUST:

- (A) ~~submit to the secretary of state for approval a completed Notary Public Education Vendor Application. The curricula submitted for approval by the secretary of state shall include~~ SUBMIT AN APPLICATION THAT INCLUDES:

[Current Rule 7.2.4.B.1 is amended and recodified as New Rule 3.1.2(e)]

~~7.2.4.B.2.~~ (1) Procedures to establish the identity of a person attending a live course and ensure that the person is present for the required time-;

~~7.2.4.B.3.~~ (2) Procedures to ensure that the person to whom a RECEIVING THE certificate of completion is issued for completing the approved course of instruction is the same person who took COMPLETED the course-;

~~7.2.4.B.4.~~ (3) Copies of any COURSE handout materials, workbooks, or AND tests used during the approved course of instruction-; AND

[Current Rule 7.2.4.H.2 is amended and recodified as New Rule 3.1.1(a)(4).]

~~7.2.4.H.2~~ (4) A DRAFT COPY OF THE certificate of successful completion shall be attached to the paper component of an application when submitted to the secretary of state AS REQUIRED BY RULE 3.3.

(B) ATTEND TRAINING PROVIDED BY THE SECRETARY OF STATE.

3.1.2 A VENDOR APPLICANT MUST SUBMIT AN APPLICATION THAT INCLUDES:

- (A) PROCEDURES TO ESTABLISH THE IDENTITY OF A PERSON ATTENDING A LIVE COURSE AND ENSURE THAT THE PERSON IS PRESENT FOR THE REQUIRED TIME;
- (B) PROCEDURES TO ENSURE THAT THE PERSON RECEIVING THE CERTIFICATE OF COMPLETION IS THE SAME PERSON WHO COMPLETED THE COURSE;
- (C) COPIES OF ANY COURSE HANDOUT MATERIALS, WORKBOOKS AND TESTS;
- (D) A DRAFT COPY OF THE CERTIFICATE OF SUCCESSFUL COMPLETION AS REQUIRED BY RULE 3.3;

[Current Rules 7.2.4.B.1 and 7.2.4.C are amended and recodified as New Rule 3.1.2(e) and (f).]

~~7.2.4.B.1~~(E) A description of the curriculum in sufficient detail to enable the secretary of state to evaluate whether the curriculum satisfies the requirements in Section 7.2.2 of these rules. A DETAILED CURRICULUM;
AND

(F) THE REQUIRED APPLICATION FEE.

~~7.2.4.C~~ ~~Application Fee.~~ The secretary of state shall charge a fee to review the application not to exceed \$250.

[Current Rule 7.2.4.D is amended and recodified as New Rule 3.1.3.]

~~7.2.4.D.~~ ~~Deficient Application or Curriculum.~~ If the secretary of state determines that a Notary Public Education Vendor Application is incomplete or a curriculum does not satisfy the requirements set forth in these rules, the secretary of state will issue a deficiency notice containing an itemized description of the deficiencies identified. The deficiency notice will be sent by the secretary of state to the vendor by the email address listed on the Notary Public Education Vendor Application.

1. A vendor shall have 30 days from the date on which the deficiency notice was mailed by the secretary of state to submit documentation to the secretary of state curing the deficiencies identified in the deficiency notice. If the deficiencies are not cured within 30 days, the curriculum shall be deemed rejected by the secretary of state.

2. ~~If a curriculum is rejected, the affected vendor shall have the right to a hearing as provided in article 4 of title 24, C.R.S.~~

3.1.3 DEFICIENT APPLICATION. THE SECRETARY OF STATE WILL NOTIFY AN APPLICANT OF ANY APPLICATION OR CURRICULUM DEFICIENCIES. IF THE APPLICANT FAILS TO CURE THE DEFICIENCY WITHIN 30 DAYS AFTER THE MAILING DATE OF THE NOTICE, THE SECRETARY WILL CONSIDER THE APPLICATION REJECTED. A REJECTED APPLICANT MAY REQUEST A HEARING IN ACCORDANCE WITH THE STATE ADMINISTRATIVE PROCEDURE ACT (ARTICLE 4 OF TITLE 24, C.R.S.).

[Current Rule 7.2.2 is amended and renumbered as New Rule 3.2.1. Information from Current Rule 7.3.A is integrated into New Rule 3.2.1]

[The first sentence of Current Rule 7.2.3.A is amended and recodified as part of New Rule 3.2. The second sentence of Current Rule 7.2.3.A is repealed.]

3.2 VENDOR-SPECIFIC REQUIREMENTS

~~7.2.2~~ 3.2.1 ~~Course of Instruction – Required Elements from the Notaries Public Act.~~ Content for any approved course of instruction THE SECRETARY OF STATE MUST APPROVE A VENDOR’S PROPOSED CURRICULUM BEFORE A VENDOR MAY OFFER A NOTARY TRAINING COURSE. CURRICULUM must be based upon ON:

- (A) ~~the~~ THE Colorado Notaries Public Act and draw upon widely accepted best practices. All training curricula shall include but are INCLUDING BUT not limited to: THE physical presence requirement, duty not to notarize a BLANK document that is blank, duty to use a notarial certificate, disqualifying interest, application procedures, resignation requirements, duty to maintain a journal of notarial acts, revocation proceedings, liability, identification of signers, role of the notary, AND official misconduct;; and
- (B) WIDELY ACCEPTED BEST PRACTICES, INCLUDING BUT NOT LIMITED TO THE ROLE OF THE NOTARY AND notarizations for the elderly. ~~It shall be at the discretion of the course provider or approved vendor to determine which best practices shall be included in its curricula.~~

[Current Rule 7.2.4.E is amended and recodified as New Rule 3.2.2.]

~~7.2.4.E.~~ 3.2.2 ~~Seal of Accreditation.~~ SEAL OF ACCREDITATION

- (A) The ~~secretary of state shall~~ SECRETARY OF STATE WILL provide a seal of accreditation for vendors that meet the curriculum criteria TO A VENDOR APPLICANT within 60 days of receipt of an AFTER RECEIPT OF A SUBSEQUENTLY APPROVED application and curriculum that is subsequently approved by the secretary of state.

~~7.2.4.E.1.~~ (B) The A VENDOR MUST PROMINENTLY DISPLAY THE seal of accreditation shall be displayed prominently and conspicuously on any ALL VENDOR materials provided by the approved vendor to the new or renewing applicant TO A COURSE ATTENDEE. The seal shall contain:

~~7.2.4.E.1.a. — Each seal of accreditation shall contain a designation number unique to the vendor as assigned by the secretary of state.~~

~~7.2.4.E.1.b. (C) Seals — A SEAL of accreditation shall expire — EXPIRES four years after a Seal of Accreditation is granted — ISSUANCE. The expiration date shall appear of the seal of accreditation. — TO RENEW ACCREDITATION, A VENDOR MUST SUBMIT THE REQUIRED FORM AND FEE.~~

~~7.2.4.E.2. (D) A seal of accreditation shall — VENDOR MAY not be assigned or transferred — ASSIGN OR TRANSFER A SEAL OF ACCREDITATION to another vendor or curriculum without the SECRETARY OF STATE’S approval of the secretary of state.~~

~~7.2.4.E.3. (E) The seal of accreditation shall — DOES not imply endorsement of any A VENDOR’S products or services or other courses offered by the provider.~~

[Current Rules 7.2.4.F and 7.2.4.G are amended and recodified as New Rules 3.4 and 3.5.]

[Current Rule 7.3.C is amended and renumbered as 3.1.1(b). Please see new revision above.]

[Current Rule 7.2.4.I is amended and recodified as New Rule 3.2.3]

~~7.2.4.I. 3.2.3 **List of Attendees.** — VENDOR’S LIST OF ATTENDEES. An approved vendor shall — MUST maintain and, UPON REQUEST, PROVIDE A LIST OF ATTENDEES AND THE FOLLOWING INFORMATION TO THE SECRETARY OF STATE: — provide the secretary of state with a list of persons who attend each session of an approved course of instruction and provide such list to the secretary of state within ten days after completion of the approved course of instruction on a form provided by the secretary of state. the approved vendor shall not request, collect, or keep the social security number of any attendee. The form shall include the following:~~

- ~~1. — The name of the approved vendor;~~
- ~~2. — The approved vendor identification number issued by the secretary of state;~~
- ~~3. (A) The name of the instructor or instructors who taught the approved course of instruction;~~
- ~~4. (B) The date, time, and location of the approved course of instruction;~~
- ~~5. (C) The names of all the attendees in alphabetical order by the last name of the attendee and whether or not — WHETHER proof of completion was issued to each attendee;~~
- ~~6. (D) The — EACH COURSE ATTENDEE’S FULL NAME AND THE type of CURRENT photograph — GOVERNMENT-ISSUED PHOTO identification, identification number, expiration date, and state or country of issuance of the~~

~~documentation establishing~~ USED TO ESTABLISH the COURSE ATTENDEE'S identity of the notary public applicant or notary public who attended and completed the approved course of instruction; and

~~7. The date of birth of the applicant.~~

[Current Rules 7.2.4.H and 7.2.4.H.1 are amended and recodified as New Rules 3.3 and 3.3.1. Information from Current Rule 7.3.E is integrated into New Rule 3.3.]

~~7.2.4.H. 3.3 **Certificate of Successful Completion of an Approved Course of Instruction.**~~

~~Approved vendors shall furnish graduates of their program with a certificate of successful completion.~~ CERTIFICATE OF COMPLETION. WHEN A STUDENT SUCCESSFULLY COMPLETES A COURSE, THE APPROVED VENDOR OR COURSE PROVIDER MUST ISSUE THE GRADUATE A CERTIFICATE OF SUCCESSFUL COMPLETION.

~~7.2.4.H.1. 3.3.1~~ An approved vendor shall ~~APPROVED VENDORS AND COURSE PROVIDERS MUST~~ ensure that only a person who has completed an approved course of instruction receives a certificate of successful completion. ~~If an attendee fails to be present during any substantive portion of an approved course of instruction, the approved vendor shall not issue a certificate of successful completion to the attendee, and the attendee shall not receive credit for the time in which he or she was present.~~ VENDORS AND COURSE PROVIDERS MAY NOT ISSUE A CERTIFICATE OF COMPLETION TO AN ATTENDEE WHO IS ABSENT DURING ANY SUBSTANTIVE PART OF THE COURSE.

[Current Rule 7.2.4.H.2 is amended and recodified as New Rule 3.1.1(a)(4).]

[Current Rule 7.2.4.H.3 is amended and recodified as New Rule 3.3.2]

~~7.2.4.H.3. 3.3.2~~ A certificate of successful completion of an approved course of instruction ~~shall be valid for a period of~~ EXPIRES six (6) months from the date of issuance. ~~If proof of successful completion is submitted to the secretary of state more than six (6) months after the proof of successful completion was issued, the secretary of state shall notify the notary public applicant that the proof of successful completion is not valid and instruct the notary public applicant to complete an approved course of instruction and submit a valid, current certificate of successful completion of an approved course of instruction to the secretary of state.~~

[Current Rule 7.2.4.H.4 is amended and recodified as New Rule 3.3.3.]

~~7.2.4.H.4. 3.3.3~~ The certificate of proof of successful completion of an approved course of instruction ~~shall~~ MUST contain:

~~a. (A)~~ The name of the approved vendor OR COURSE PROVIDER who provided the approved course of instruction.;

~~b. The approved vendor's seal of accreditation.~~

- ~~e.~~(B) The name of the person who completed the ~~instructional~~ course;
- ~~d.~~(C) The date of completion of the ~~approved~~ course of instruction;
- ~~e.~~(D) The statement, “This certificate of proof of completion ~~shall be~~ IS valid for a period of six months from the date of issuance.”; AND
- (E) FOR VENDORS, THE SEAL OF ACCREDITATION.

~~7.2.4.F. 3.4~~ **Notification of Changes to Approved Course of Instruction.** Within 30 days of substantial changes of the information contained in the approved course of instruction, an approved vendor shall submit to the secretary of state on vendor letterhead a description of the changes made to the curriculum’s content. NOTIFICATION OF CHANGES. USING THEIR LETTERHEAD, APPROVED VENDORS AND COURSE PROVIDERS MUST NOTIFY THE SECRETARY OF STATE WITHIN 30 DAYS OF:

~~7.2.3.D. 3.4.1~~ **Duty of Approved Vendor to Keep Address Current.** Every approved vendor shall send or have delivered notice to the secretary of state within 30 days after such approved vendor changes the A CHANGE IN physical address or email address on the Notary Public Education Vendor Application.

3.4.2 SUBSTANTIAL CHANGES TO AN APPROVED CURRICULUM AND PROVIDE COPIES OF THE CHANGES.

[Current Rule 7.2.4.I is amended and renumbered as 3.2.3. Please see new revision above.]

Current Rules 7.2.4.F and 7.2.3.D are amended and recodified New Rule 3.4. Please see new revision above.

[Current Rule 7.2.4.G is amended and recodified as New Rule 3.5]

~~7.2.4.G 3.5~~ **Duty of Vendor to Revise Training.** DUTY TO REVISE TRAINING. An approved vendor APPROVED VENDORS AND COURSE PROVIDERS shall MUST revise its approved course COURSES of instruction as necessary to ensure that the information provided in an approved course of instruction THE COURSES ACCURATELY reflects REFLECT current Colorado law concerning the duties and functions of a notary public.

[New Rule 3.6]

3.6 ENFORCEMENT

[Current Rule 7.2.3.C. is amended and recodified as New Rule 3.6.1]

~~7.2.3.C. 3.6.1~~ **Duty of Approved Vendor to Respond to a Written Request from Secretary of State.** It shall be the duty of a vendor to DUTY TO RESPOND TO THE SECRETARY OF STATE’S WRITTEN REQUEST. VENDORS AND COURSE PROVIDERS MUST respond in writing within 20 BUSINESS days of receiving a written request from the secretary of state SECRETARY OF STATE for any information relating to a complaint or approved course of instruction offered by the vendor. The secretary

~~of state shall~~ SECRETARY OF STATE WILL send a written request to the address or email address listed on the most current ~~Notary Public Education Vendor Application~~ APPLICATION.

[Current Rule 7.2.4.J is amended and recodified as New Rule 3.6.2]

~~7.2.4.J.~~ 3.6.2 **Onsite Inspections.** ~~ONSITE INSPECTIONS. An approved vendor shall~~ APPROVED VENDORS AND COURSE PROVIDERS MUST permit the ~~secretary of state~~ SECRETARY OF STATE or ~~his~~ THE SECRETARY'S designee to attend any approved course of instruction without prior notice at no charge ~~for the purpose of observation, monitoring, auditing, or investigating~~ TO OBSERVE, MONITOR, AUDIT, AND INVESTIGATE.

[Current Rule 7.2.3.B.1 is amended and recodified as New Rule 3.6.3]

~~7.2.3.B.~~ 3.6.3 **Complaints against an Approved Vendor** COMPLAINTS.

1. ~~—~~A person may file a complaint against an approved vendor OR COURSE PROVIDER with the ~~secretary of state~~ SECRETARY OF STATE alleging a violation of these rules. ~~A~~ THE PERSON MUST SUBMIT A SIGNED AND DATED complaint ~~shall be submitted on a~~ THE SECRETARY OF STATE'S standard form ~~provided by the secretary of state, signed and dated by the person filing the complaint.~~

[Current Rule 7.2.4.K is amended and recodified as New Rule 3.6.4. New Rule 3.6.4 (e) contains amended and recodified information from Current Rule 7.2.3.B.3.]

~~7.2.4.K.~~ 3.6.4 **Grounds for Termination of Accreditation.** ~~GROUNDS FOR~~ TERMINATION OF ACCREDITATION OR APPROVAL. The ~~secretary of state~~ SECRETARY OF STATE may terminate ~~a~~ AN APPROVED vendor's accreditation OR APPROVAL OF A COURSE PROVIDER for any of the following reasons:

- ~~1.~~(A) Violation of any provision of these rules.
- ~~2.~~(B) Misrepresentation of A NOTARY PUBLIC'S DUTIES AND AUTHORITY UNDER ~~the laws of Colorado~~ LAW concerning the duties and functions of a notary public.
- ~~3.~~(C) Deviation from the lesson plan for an approved course of instruction.
- ~~4.~~(D) ~~Representations made by the vendor that any product, goods, or services provided by the vendor are endorsed, recommended, or required by the secretary of state.~~ MAKING REPRESENTATIONS THAT THE SECRETARY OF STATE ENDORSES, RECOMMENDS, OR MANDATES USE OF ANY OF THE VENDOR'S PRODUCTS, GOODS, OR SERVICES.
- ~~5.~~(E) Failure to timely respond to ~~a request for communication from the secretary of state~~ THE SECRETARY OF STATE'S REQUEST FOR COMMUNICATION OR OTHERWISE COOPERATE WITH AN INVESTIGATION.

[Current Rule 7.2.4.L is amended and recodified as New Rule 3.6.5.]

~~7.2.4.L. 3.6.5~~ **Right to Appeal Termination of Accreditation.** RIGHT TO APPEAL TERMINATION OF ACCREDITATION OR APPROVAL. If the ~~secretary of state~~ SECRETARY OF STATE proposes to terminate AN APPROVED VENDOR'S the accreditation status of OR APPROVAL OF A COURSE PROVIDER ~~an approved vendor,~~ THE VENDER OR COURSE PROVIDER HAS THE RIGHT TO REQUEST ~~an opportunity for~~ A hearing ~~shall be accorded~~ as provided in THE STATE ADMINISTRATIVE PROCEDURE ACT, (~~article~~ ARTICLE 4 of ~~title~~ TITLE 24, C.R.S.)

- ~~1.(A)~~ If the approved vendor OR THE COURSE PROVIDER does not request a hearing, termination ~~shall~~ WILL be effective 30 days after the ~~termination notice~~ MAILING DATE OF THE TERMINATION NOTICE.
- ~~2.(B)~~ ~~The termination of the approved vendor's accreditation~~ TERMINATION does not bar the ~~secretary of state~~ SECRETARY OF STATE from ~~instituting~~ BEGINNING or continuing an investigation ~~against~~ CONCERNING the vendor OR COURSE PROVIDER.

7.3. COURSE PROVIDERS

[The information provided in Current Rule 7.3.A is amended and recodified as part of New Rule 3.2.1.]

~~7.3.A. Course Provider.~~ A course provider must be approved by the secretary of state before offering a course of instruction for which the secretary of state will give credit for successful completion.

[The information provided in Current Rule 7.3.B is amended and recodified as part of New Rule 3.1.1(a).]

~~7.3.B. Trainer Application.~~ A course provider shall submit to the secretary of state for approval, a completed Trainer Application. The application submitted to the secretary of state shall include:

- ~~1. The name and address of the course provider.~~
- ~~2. Procedures to establish the identity of a person attending a course and to ensure that the person is present for the required time.~~
- ~~3. Procedures to ensure that the person to whom a certificate of completion is issued for completing the course of instruction is the same person who took the course.~~
- ~~4. Copies of any handout materials, workbooks, or tests used during the course of instruction in addition to the curriculum provided by the secretary of state.~~

[Current Rule 7.3.C is amended and recodified as part of New Rule 3.1.1(b).]

[Current Rule 7.3.D is amended and recodified as part of New Rule 1.3.]

~~7.3.D. **Curriculum.** an approved course provider shall use a curriculum provided by the secretary of state. An approved course provider may add additional information to the curriculum as necessary to train its employees as to the guidelines and best practices utilized by their corporation, company, commercial enterprise, association, or educational institution.~~

[Current Rule 7.3.E is amended in part and recodified as part of New Rule 3.3.]

~~7.3.E. **Certificate of Completion.** Course providers will comply with section 7.2.4.H.4 of these rules except that a course provider is not required to provide a seal of accreditation when providing a certificate of successful completion.~~

[Current Rule 7.4 is amended and recodified as New Rule 2.1.5]

II. Basis, Purpose, and Specific Statutory Authority

A Statement of Basis, Purpose, and Specific Statutory Authority follows this notice and is incorporated by reference.

III. Effective Date of Adopted Rules

These new and amended rules will become permanently effective twenty days after publication in the Colorado Register.⁵

Dated this 7th day of October, 2014,



Suzanne Staiert
Deputy Secretary of State

For

Scott Gessler
Colorado Secretary of State

⁵ Section 24-4-103(5), C.R.S. (2014).



Statement of Basis, Purpose, and Specific Statutory Authority

Office of the Secretary of State Notary Program Rules 8 CCR 1505-11

October 7, 2014

I. Basis and Purpose

This statement explains amendments to and recodification of the Colorado Secretary of State Notary Program Rules. The purpose of the changes is to ensure and improve the uniform and proper administration, implementation, and enforcement of the Colorado Notaries Public Act¹ and to answer questions arising under the Act. Specifically, the recodification is intended to:

- Recodify the rules to improve organization and readability.
- Revise the rules to be consistent with section 12-55-104(2), C.R.S., by:
 - Removing erroneous statutory citations and references to journals; and
 - Clarifying that the Secretary of State provides document authentication numbers to notaries for electronic notarizations.
- Amend the rules to require vendors to maintain and, upon request, provide students' names and certain information.
- Harmonize enforcement provisions concerning vendors and course providers.
- Edit to repeal obsolete rules and to remove language duplicative of statute.
- Non-substantive revisions to simplify or clarify words and phrases and other technical revisions as is necessary for consistency with Department rulemaking format and style.

On July 24, 2014, the Secretary issued a request for public comment to help our office develop preliminary draft rules. The comments we received in anticipation of rulemaking are available online at: http://www.sos.state.co.us/pubs/rule_making/notaryRuleComments.html and are incorporated into the official rulemaking record.

The Secretary proposes the following rule revisions:

- Amendments to Current Rule 1 include amending existing provisions, amending and relocating definitions from Current Rule 7, repealing unnecessary definitions, and renumbering as follows:

¹ Article 55, Title 12 of the Colorado Revised Statutes.

- Current Rules 7.1 A, B, and D are amended and recodified as New Rules 1.1, 1.2, and 1.3.
- Under Current Rule 1, subrules 1, 2, and 3 are amended and recodified as New Rules 1.4, 1.5, and 1.6.
- New Rule 1.3 [Current Rule 7.1.D] is amended to clarify the definition of a document authentication number by referencing applicable statutory requirements.
- New Rule 1.5 is amended to clarify that an electronic notarization must include both the notary's and the document signer's electronic signatures.
- Current Rule 1 subrule 4 is repealed as unnecessary because the Notaries Public Act defines the term "electronic signature."
- Current Rule 7.1.E is amended and recodified as New Rule 1.7.
- Amendments to Current Rule 2 include amending existing provision, amending and relocating provisions from Current Rule 7, repealing unnecessary provisions, and renumbering as follows:
 - New Rule 2.1 consolidates filing and training requirements for notaries.
 - New Rule 2.1.1 mandates that all notary filings must be submitted via the Secretary of State's online electronic filing system.
 - Current Rules 7.2.1.A and 7.2.1.C are amended and recodified as New Rules 2.1.2 and 2.1.4. The first sentence of Current Rule 7.2.1.C is amended and recodified as part of New Rule 2.1.4. The second sentence is repealed as unnecessary. The last sentence is repealed as erroneous.
 - Current Rule 7.4.A and part of Current Rule 7.4.B are amended and recodified as New Rule 2.1.5. The rule is amended to remove reference to a minimum number of notary exam questions.
 - Current Rule 2 is amended and recodified as New Rule 2.2, Electronic Notarization. Current Rule 2 subrules 1, 2, and 3 are amended and recodified as New Rule 2.2.1.
 - Current Rule 2, subrule 4(a)(1) is repealed because it is erroneous: while the Secretary of State may provide a set of document authentication numbers (DANs) to a notary for electronic notarizations, the Secretary does not provide an electronic log containing such numbers.
 - Current Rule 2, subrule 4(a)(2) is repealed as unnecessary.
 - Current Rule 2, subrule 4(b) is amended and recodified as New Rule 2.2.2. The Secretary has repealed several requirements for electronic notarizations as

redundant since they are currently already codified in section 12-55-106.5(1), C.R.S. And per the Secretary's statutory authority to establish electronic signature standards, procedures, and practices, the Secretary has added the requirement that a notary also include his or her notary identification number in an electronic notarization. The basis for this requirement is that, in some cases, notaries may share similar or identical names. This requirement will make it easier to identify a notary performing an electronic notarization using the Secretary's online Verify a Notary system. This amendment also harmonizes electronic notarization and non-electronic notarization content requirements.

- New Rule 2.2.3 clarifies that for purposes of section 12-55-106.5(1), C.R.S., which details electronic signature requirements, a notary's name specifically means the notary's printed legal name. This amendment harmonizes electronic notarization and non-electronic notarization content requirements.
- Current Rule 2, subrules 4(c) and (d) are amended and recodified as New Rules 2.2.4 (a) and (b).
- Current Rule 5, concerning lost or stolen DANs, is amended and recodified as New Rule 2.2.4(c).
- Current Rule 2, subrule 5 is repealed as unnecessary.
- Current Rule 4 is amended and recodified as New Rule 2.2.5.
- Current Rule 3 is amended and recodified as New Rule 2.2.6. The Secretary has repealed as unnecessary the reference to a notary's death as grounds for automatic expiration of the Secretary's approval of a notary to notarize electronically.
- Current Rule 3, subrules 2 and 3, are amended and recodified as New Rule 2.2.6(b).
- Amendments to Current Rule 3 include the following:
 - As indicated above, Current Rule 3 is amended and recodified as New Rule 2.2.6. Current Rule 3, subrules 2 and 3, are amended and recodified as New Rule 2.2.6(b).
 - Current Rule 7.2.2 is amended and renumbered as New Rule 3.2.1. Information from Current Rule 7.3.A is also integrated into New Rule 3.2.1.
 - The first sentence of Current Rule 7.2.3.A is amended and recodified as part of New Rule 3.2. The second sentence of Current Rule 7.2.3.A is repealed as unnecessary.
 - Current Rule 7.2.4.B is amended and recodified as New Rules 3.1 and 3.1.1. Information from Current Rule 7.3.B is integrated into New Rule 3.1.1. New Rule 3.1 consolidates notary trainer requirements. New Rule 3.1.1 specifies

requirements for course providers. New Rule 3.1.2 lists specifies requirements for vendors.

- Current Rule 7.2.4.H.2 is amended and recodified as New Rule 3.1.1(a)(4).
- Current Rules 7.2.4.B.1 and 7.2.4.C are amended and recodified as New Rules 3.1.2(e) and (f).
- Current Rule 7.2.4.D is amended and recodified as New Rule 3.1.3.
- Current Rule 7.2.4.E is amended and recodified as New Rule 3.2.2.
- Current Rule 7.3.C is amended and recodified as New Rule 3.1.1(b).
- Information from Current Rule 7.3.E is integrated into New Rule 3.3.
 - Current Rules 7.2.4.H and 7.2.4.H.1 are amended and recodified as New Rules 3.3 and 3.3.1.
 - Current Rule 7.2.4.H.3 is amended and recodified as New Rule 3.3.2 except the last sentence is repealed as unnecessary.
 - Current Rule 7.2.4.H.4 is amended and recodified as New Rule 3.3.3.
- Current Rule 7.2.4.I is amended and recodified as New Rule 3.2.3. The Secretary has amended the rule to require vendors to maintain and, upon request, provide a list of attendees and certain information to the Secretary of State. The automatic reporting requirement is repealed. The requirements for maintaining a course attendee's date of birth and photo identification number and expiration date are repealed.
- Current Rules 7.2.4.F and 7.2.4.G are amended and recodified as New Rules 3.4 and 3.5. Current Rule 7.2.3.D is amended and recodified as New Rule 3.4.1.
- New Rule 3.6 consolidates amended provisions of Current Rule 7 concerning rule enforcement as follows:
 - Current Rule 7.2.3.C is amended and recodified as New Rule 3.6.1. The amendment clarifies that vendors and course providers must respond to the Secretary of State's written request within 20 business days of receiving the request.
 - Current Rule 7.2.4.J is amended and recodified as New Rule 3.6.2. The amendment clarifies that both approved vendors and course providers must permit onsite inspections by the Secretary of State.

- Current Rule 7.2.3.B.1 is amended and recodified as New Rule 3.6.3. The amendment clarifies that both approved vendors and course providers are subject to complaints alleging a violation of the Rules.
 - Current Rule 7.2.4.K is amended and recodified as New Rule 3.6.4 which consolidates the grounds for termination of an approved vendor’s accreditation or approval of a course provider.
 - Current Rule 7.2.4.L is amended and recodified as New Rule 3.6.5. The amendment clarifies that both approved vendors and course providers have appeal rights.
- Current Rule 4 is amended and recodified as New Rule 2.2.5, as detailed above.
- Part of Current Rule 5 is amended and recodified in part as New Rule 2.2.4(c) as detailed above.
- Current Rule 6 is repealed as unnecessary.
- As detailed above, Current Rule 7 and its subrules are amended and recodified as New Rules 1.1, 1.2, 1.3, 1.7, 2.1.2, 2.1.3, 2.1.4, 2.1.5, 3.1, 3.2, 3.3, 3.4, 3.5, and 3.6, as detailed above. Current Rules 7.2.3.B.2 and 7.2.4.A are repealed as unnecessary. Current Rules 7.1.C, 7.1.F, 7.2.1.B, 7.2.1.C’s second and last sentences, 7.2.3.A’s last sentence, 7.2.3.B.2, and 7.2.4.A are repealed.
- Other changes to rules not specifically listed are entirely non-substantive. Some words and phrases are changed to simplify or clarify, but the meaning is not intended to be altered unless as described above. Cross-references in rules are also corrected or updated. Renumbering the rules is necessary for consistency with Department rulemaking format/style.

II. Rulemaking Authority

The statutory authority is as follows:

- Section 12-55-103.5(2), C.R.S., (2014), which authorizes the Secretary of State to “promulgate rules to require notaries public to complete a training program.”
- Section 12-55-104(5), C.R.S., (2014), which authorizes the Secretary of State to “promulgate rules for use of the electronic filing system in accordance with article 4 of title 24, C.R.S.”
- Section 12-55-106.5(1), C.R.S., (2014), which requires that “[a] notary’s signature shall conform to any standards promulgated by the secretary of state.”
- Section 12-55-106.5(2), C.R.S., (2014), which authorizes the Secretary of State to “promulgate rules necessary to establish standards, procedures, practices, forms, and records relating to a notary's electronic signature.”