**Section 176.300 Application for Notary Public and Electronic Notary Public Commissions**

a) Applications for a traditional notary public commission. All individuals applying for a traditional notary public commission shall use the application prescribed by the Secretary of State and shall include, at a minimum*,* the information required by 5 ILCS 312/2-102.

b) Remote notarization. *Any notary appointed under subsection (a) shall have the authority to conduct remote notarizations.* [5 ILCS 312/2-102(b)]

c) Application for electronic notary public commission. *An application for an electronic notary public commission must be filed with the Secretary of State* as required by this Subpart D [5 ILCS 312/2-102(c)]. In addition, an applicant for an electronic notary public commission must provide the following:

1) The notary public commission number assigned to the person by the Secretary of State, unless the applicant is applying for the notary public commission and electronic notary public commission at the same time under 5 ILCS 312/2-101(c);

2) The names of all electronic notarization system providers that the applicant intends to use to perform electronic notarial acts;

3) A copy of the electronic signature of the person that is:

A) an exact representation of the handwritten signature of the person already on file or currently being filed with the Secretary of State; and

B) in a format that identifies the electronic notarization system provider that prepared the electronic signature and can be read without additional software and be compared for authentication purposes to the person's handwritten signature on file or being filed with the Secretary;

4) A statement certifying that the applicant:

A) Will comply with the standards set forth by Section 176.835 relating to identity proofing and credential analysis;

B) Will use a third-party provider who has been certified to act as an electronic notarization system provider in the State of Illinois by the Secretary; and

C) Will, upon request by the Secretary, promptly provide any necessary instructions or techniques supplied by a provider that will allow the electronic notary public's digital certificate and electronic seal to be read and authenticated.

5) A disclosure of all disciplinary actions, convictions, or administrative actions taken against the applicant;

6) One of the forms listed below:

A) A certificate or other proof of successful completion of the course of study required under 5 ILCS 312/2-101.5(a), which indicates successful completion of the course within the two years preceding the submission of the application for an electronic notary public commission; or

B) A signed statement in a format designated by the Secretary of State that the applicant:

i) is a licensed attorney in good standing with the ARDC or a current Illinois court or federal court judge or is employed by a licensed attorney in good standing with the ARDC or an Illinois or federal court; and

ii) has read and understood the version of the Act that is in effect at the time of application pursuant to 5 ILCS 312/2-101.5(c).

7) A statement certifying that the person will comply with the applicable provisions of the Act, including Article VI-A.

d) A person may not perform an electronic notarial act, unless:

1) The Secretary has approved the applicant's application for an electronic notary public commission; and

2) The Secretary has approved the registration of the proposed electronic notarization system provider.

e) Incomplete applications. If an application for appointment as a notary public or electronic notary public is incomplete, the Secretary of State will retain the application for at least one year from the date of receipt of the application. If the applicant does not complete the application within one year from the date of receipt of the application, the Secretary of State may deny the application and mail a notice of denial to the applicant.

f) Assignment of Commission Number.

1) The Secretary of State will assign a unique commission number to each original commission certificate. The commission number, which will be used to identify the notary public whose name appears on the commission certificate, must remain assigned to the notary public throughout the period of the appointment and must be included on each duplicate or amended commission certificate issued to the notary public by the Secretary of State.

2) If a notary public applies for a subsequent period of appointment, a new number must be assigned.

3) A notary public that is also commissioned as an electronic notary public will have the same commission number for both commissions.

g) After an application for an electronic notary public commission has been approved, the electronic notary public will be required to notify the Office of the Secretary of State, on a form designated by the Secretary, if the electronic notary public elects to add any other electronic notary system provider.

(Source: Amended at 49 Ill. Reg. 584, effective January 1, 2025)