

TITLE 433 – SECRETARY OF STATE

CHAPTER 7 – ELECTRONIC NOTARIES PUBLIC

001. SCOPE.

001.01 The Rules in this Subchapter implement the Electronic Notary Public Act, Neb. Rev. Stat. §§ 64-301 through 64-317. (“Act”)

002. DEFINITIONS. In addition to terms defined Neb. Rev. Stat. § 64-302:

002.01 "Applicant" means a person applying for registration as a Nebraska electronic notary public.

002.02 "Approved Electronic Notary Solution Provider" means a person or entity approved to provide an Electronic Notarization System by the Secretary pursuant to the Act.

002.03 "Biometric Authentication" means proving the identity of a user by requiring verification of the user's identity through technologies that require measurement and analysis of one or more human physiological or behavioral characteristics of the user in order to access and use an electronic notarization system. Biometric authentication technologies include fingerprint scanning devices, retinal scanning devices, and handwriting analysis devices.

002.04 "Secretary" means the Nebraska Secretary of State and his or her designated staff.

002.05 "Electronic Notarization System" means a set of applications, programs, hardware, software, or technology designed to enable a notary to perform electronic notarizations.

002.06 "Independently Verifiable" means capable of government or third-party authentication of a notarial act, a notary's identity, and a notary public's relevant authority.

002.07 "Password Authentication" means requiring the user to enter a secret word, phrase, or symbol set in order to access and use an electronic notarization system.

002.08 "Token Authentication" means requiring use of a physical device in addition to a password or personal identification number ("PIN" number) in order to access and use an electronic notarization system. Physical devices used in token authentication technologies include magnetic cards or "smart cards" and Universal Serial Bus (USB) memory sticks or "USB keys".

002.09 "Under the exclusive control of the notary public", for the purposes of the Secretary's interpretation of the requirements of Neb. Rev. Stat. § 64-310, means "under the notary public's sole control" as defined in this Chapter.

002.10 "Under the notary public's sole control" means accessible by and attributable solely to the notary public to the exclusion of all other persons and entities, either through being in the direct physical custody of the notary public or through being secured with one or more biometric authentication, password authentication, token authentication, or other authentication technologies in an electronic notarization system provided by an approved electronic notary public solution provider approved pursuant to the Act and this Chapter.

003. APPLICATION.

003.01 Qualifications. An applicant shall provide:

003.01(A) All information required for registration pursuant to Neb. Rev. Stat. § 64-304;

003.01(B) Verification that the applicant holds a valid Nebraska notary public commission and continues to meet the qualifications to hold the notary public commission;

003.01(C) Verification that the applicant is in compliance with all provisions of Neb. Rev. Stat. §§ 64-101 through 64-118.

003.01(D) Verification of the passage of the required course of instruction and examination as required pursuant to Neb. Rev. Stat. § 64-305.

003.01(E) Any other information requested by the Secretary to prove the qualifications of the applicant.

004. REGISTRATION RENEWAL. A notary applying to renew registration as an electronic notary public shall so indicate on their notary public renewal application and pay the fee for registration as an electronic notary public, in addition to the fee for renewal of his or her notary public commission.

005. APPROVED COURSE OF STUDY FOR ELECTRONIC NOTARIES PUBLIC

005.01 The Secretary shall administer the training course and testing for applicants for electronic notary public registration.

005.02 Upon the Secretary's determination of a need for additional instructors, the Secretary may train certified notary public instructors who are also registered as electronic notaries public to administer the training course and testing for applicants for electronic notary public registration.

006. ELECTRONIC NOTARY PUBLIC SIGNATURE.

006.01 The electronic notary public signature shall be independently verifiable and unique to the electronic notary public.

006.02 The electronic notary signature shall be retained under the electronic notary public's sole control.

006.03 When the electronic notary public performs an electronic notarization, the electronic signature used by the electronic notary must be accessible by and attributable solely to the electronic notary public to the exclusion of all other persons and entities for the entire time necessary to perform the electronic notarization.

006.04 The electronic notary public signature shall be attached or logically associated with the document, linking the data in such a manner that any subsequent alterations to the underlying document or electronic notary certificate are observable through visual examination.

006.05 An image of the electronic notary's handwritten signature shall appear on any visual or printed representation of an electronic notary public certificate regardless of the technology being used to affix the electronic notary public's electronic signature.

## 007. ELECTRONIC NOTARY SEAL.

007.01 The electronic notary seal shall be independently verifiable and unique to the electronic notary.

007.02 The electronic notary seal shall be retained under the electronic notary public's sole control.

007.03 When the electronic notary performs an electronic notarization, the electronic seal used by the electronic notary public shall be accessible by and attributable solely to the electronic notary public to the exclusion of all other persons and entities for the entire time necessary to perform the electronic notarization.

007.04 The electronic notary seal shall be attached or logically associated with the document, linking the data in such a manner that any subsequent alterations to the underlying document or electronic notary certificate are observable through visual examination.

007.05 An image of the electronic notary's electronic seal shall appear on any visual or printed representation of the electronic notary certificate regardless of the technology being used to affix the electronic notary's electronic seal.

007.06 The perimeter of the electronic notary seal shall contain a border such that the physical appearance of the seal replicates the appearance of an inked seal on paper.

007.07 The electronic notary seal must have, within its border, the electronic notary's name exactly as commissioned, the words "Electronic Notary Public", the words "Nebraska" and the commission expiration date.

008. PHYSICAL PRESENCE REQUIREMENT FOR ELECTRONIC NOTARIZATION. When an electronic notary public performs an electronic notarization, the principal and the electronic notary public shall be in each other's physical presence during the entire electronic notarization so that the principal and the electronic notary public can see, hear, communicate with, and give identification documents as required under Neb. Rev. Stat. § 64-105 to each other without the use of electronic devices such as telephones, computers, video cameras, or facsimile machines.



## 009. ELECTRONIC NOTARY SOLUTION PROVIDER APPLICATION

009.01 Any person or entity applying to the Secretary for designation as an approved electronic notary solution provider must complete and submit an application to the Secretary for review and approval before authorizing any electronic notary seals or electronic signatures to Nebraska electronic notaries. The application shall include the following information:

009.01(A) Hardware and software specifications and requirements for the provider's electronic notarization system.

009.01(B) A description of the type(s) of technology used in the provider's electronic notarization system, and

009.01(C) A demonstration of how the technology is used to perform an electronic notarization.

009.02 An electronic notary solution provider may appeal the Secretary's rejection of the provider's application for designation as an approved electronic notary solution provider as provided under the Nebraska Administrative Procedures Act, Neb. Rev. Stat. §§ 84-901 through 84-920.

## 010. CRITERIA FOR APPROVAL OF ELECTRONIC NOTARY SOLUTION PROVIDERS

010.01 Each applicant and each approved electronic notary solution provider shall:

010.01(A) Provide a free and readily available viewer/reader so as to enable all parties relying on the electronically notarized record or document to view the electronic notary signature and the electronic notary seal without incurring any cost.

010.01(B) Comply with the laws, policies, and rules that govern Nebraska notaries public;

010.01(C) Provide an electronic notarization system or solution that complies with the technical specifications of the rules and standards that govern electronic notarization processes and procedures in Nebraska;

010.01(D) Require such of the provider's principals or employees to take the mandatory electronic notary public education course and pass the required examination as is necessary to ensure the provider possesses sufficient familiarity with Nebraska's electronic notary public laws and requirements;

010.01(E) Require notaries public to present the Electronic Notary Certificate to Perform Electronic Notary Acts issued pursuant to Neb. Rev. Stat. § 64-312 prior to authorizing an electronic notary seal and signature;

010.01(F) Verify the authorization of a Nebraska notary public to perform electronic notary acts by accessing Secretary's website and comparing the name and notary commission expiration date with the information on the Electronic Notary Certificate to Perform Electronic Notary Acts prior to authorizing an electronic notary seal and signature;

010.01(G) Provide prorated fees to align the usage and cost of the electronic notary system or solution with the commission term limit of the electronic notary public purchasing the electronic notary seal and signature;

010.01(H) Suspend the use of any electronic notarization system or solution for any notary public whose commission has been revoked, suspended, or canceled by the Nebraska Secretary of State; and

010.01(I) Submit an exemplary of the electronic notary signature and the electronic notary seal to the Secretary for each electronic notary public who subscribes to the provider's electronic notary solution.

011. ELECTRONIC NOTARY SOLUTION PROVIDER CHANGES.

011.01 An electronic notary solution provider shall notify the Secretary within 45 days of changes, modifications or updates to information previously submitted to the Secretary.

011.02 An approved electronic notary solution provider shall obtain approval of the Secretary pursuant to the Act and this Subchapter before making available to Nebraska electronic notaries public any updates or subsequent versions of the provider's electronic notarization system.

012. SEPARATE ATTESTATIONS.

012.01 Each electronic signature requiring notarization and attestation in the form of an acknowledgment shall be individually affixed to the electronic document by the principal signer and shall be acknowledged separately by the principal signer, except in the following situation:

012.01(A) The notarized document is executed on behalf of:

012.01(A)(i) Any foreign or domestic:

012.01(A)(i)(1) Corporation, non-profit corporation, professional corporation

012.01(A)(i)(2) Limited liability company;

012.01(A)(i)(3) Unincorporated association or partnership

012.01(A)(i)(4) Business trust, estate, partnership, trust; or

012.01(A)(ii) The United States, any state, or any foreign government

012.01(B) The notarized document does not adversely affect the claim, right or obligation of another.

013. ACCESS AND USE OF ELECTRONIC NOTARY SEAL. Neither the employer nor any of the employer's employees or agents shall use or permit the use of an electronic notary seal or signature by anyone other than the authorized electronic notary public to whom it is registered.

014. PROTECTED ACCESS. Access to electronic notary signatures and electronic notary seals shall be protected by the use of a password authentication, token authentication, biometric authentication, or other form of authentication approved by the Secretary according to Electronic Notary Public Act § 64-301 to § 64-317.

015. JOURNAL. An electronic notary public shall keep a journal of all electronic notarizations he or she performs and shall present this journal to the Secretary of State upon written request.

016. FEES.

The fee for registering or re-registering as an electronic notary public shall be \$100.00.



017. APPLICATIONS AND OTHER FORMS

017.01 The following forms shall be available for registration as an electronic notary public:

017.01(A) Initial Electronic Notary Public Registration form

017.01(B) Electronic Notary Public Renewal Application and Re-Registration form

017.01(C) Electronic Notary Public Solution Provider application

017.02 The forms listed in this section and attached hereto shall be made available to all applicants for license under the Act and shall be incorporated by reference into these rules and regulations.

For Office Use Only

Test Score

**NEBRASKA SECRETARY OF STATE**

**Business Services Division: Notary**  
 1445 K St., Suite 1301 State Capitol Bldg.  
 P. O. Box 95104 \* Lincoln, NE 68509  
[www.sos.ne.gov](http://www.sos.ne.gov)

**ELECTRONIC NOTARY PUBLIC REGISTRATION**

<b>APPLICANT INFORMATION</b>									
<b>Print your legal name as it appears on your driver's license, state identification card, or voter's registration (if no driver's license). We suggest your legal name, signature, and seal all match.</b>									
Last Name		First Name			MI		Date		
<b>Home Address</b>									
Street Address						Suite/Unit#			
PO Box (if any)		City			State		Zip Code		
E-mail Address					Phone Number				
<b>Business Address</b> (Required for non-resident applicant.)									
Company Name									
Street Address						Suite/Unit#			
PO Box (if any)		City			State		Zip Code		
E-mail Address					Work Phone Number				
<b>Return Certificate to:</b>									
<input type="checkbox"/> Home Address		<input type="checkbox"/> Business Address			<input type="checkbox"/> E-mail Address at:				
<i>Non-resident applicants must also submit an Evidence of Employment in Nebraska form.</i>									
<b>ELECTRONIC NOTARY PUBLIC QUALIFICATIONS IN THE STATE OF NEBRASKA</b>									
1. When does your notary commission expire? Affix impression of your seal below:					2. Provide contact information to enroll you in the next eNotary educational course:				
3. What technology do you plan to use for electronic notarization?									
<b>NOTARIAL OATH</b>									
<b><i>Your signature below will be used to verify signature authenticity when performing notarial acts. You must sign consistently.</i></b>									

State of \_\_\_\_\_ County of \_\_\_\_\_

I, \_\_\_\_\_, do solemnly (swear), (affirm) under penalty of perjury, that the answers to all questions on this application are true and complete to the best of my knowledge; and, I do solemnly (swear) (affirm) that upon appointment, I will support the Constitution and laws of the United States and the State of Nebraska, and I will faithfully discharge the duties of Electronic Notary Public in and for the State of Nebraska according to the best of my ability.

X \_\_\_\_\_  
 Applicant's Signature

Subscribed and (sworn) (affirmed) before me: this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
 (Month) (Year)

\_\_\_\_\_  
 Signature of Notary Public

# **NEBRASKA SECRETARY OF STATE**

**Business Services Division: Notary**  
1445 K St., 1301 State Capitol Bldg.  
P. O. Box 95104 \* Lincoln, NE 68509  
[www.sos.ne.gov](http://www.sos.ne.gov)

## **ELECTRONIC NOTARY PUBLIC REGISTRATION INSTRUCTIONS**

### **APPLICANT INFORMATION:**

Name: Enter your legal name for our records. Print name as is listed on your state issued driver's license, identification card, or voter registration name (if no driver's license).

Home Address: You are required to enter your home street address. If you use a P.O. Box, you may include the P.O. Box in addition to your street address. Entering your email is optional.

Business Address: If you are a non-resident applicant, your business address is required and you must complete this section in its entirety. If you are a Nebraska resident, this section is optional, but if provided, this information may be used to contact you if needed. Entering your email is optional.

Indicate where you would like your registration returned by checking the appropriate box. If email is selected, provide the email address where the registration should be sent.

Please note that email addresses submitted on this application become part of the public record.

Non-resident applicants must also complete and submit an Evidence of Employment in Nebraska form.

### **ELECTRONIC NOTARY PUBLIC QUALIFICATIONS IN THE STATE OF NEBRASKA:**

Please read each question carefully and clearly mark the appropriate box or fill in the details to answer question.

Eligibility to register as an Electronic Notary Public requires a notary public to hold a valid commission in the State of Nebraska, satisfy the educational requirement of section 64-305, and pay the fee required under section 64-306. If you have not met this eligibility but want to register, please complete this registration form and email [sos.enotary@nebraska.gov](mailto:sos.enotary@nebraska.gov) or call (402) 471-4425 for more information.

You are not authorized to perform electronic notarial acts (enotizations) until all requirements are completed and you have received your Electronic Notary Certificate of Registration.

### **NOTARIAL OATH:**

**Do not complete this section until you are in the presence of a Notary Public.** You must sign in the presence of a Notary Public. The Notary Public will complete the state and county information, date, sign, and impress their seal. PLEASE NOTE: You may not notarize your own signature.

The signature you place on this application is the signature that you must use when notarizing documents. You must sign consistently. Your signature on the application will be used to verify your signature on additional forms in the filing process, if a complaint is ever filed against you, or if a document you notarize must be certified for use in another country.

### **REQUIREMENTS:**

Applicant must submit the following: Electronic Notary Public Registration form and \$100 fee made to the Nebraska Secretary of State. The applicant is then required to satisfy the educational requirements and pass an Electronic Notary Public Exam.

If you have any questions when completing the application, please contact the Business Services Division – Notary online at: [sos.enotary@nebraska.gov](mailto:sos.enotary@nebraska.gov) or call (402) 471-4425.

# NEBRASKA SECRETARY OF STATE

**Business Services Division: Notary**  
1445 K St., Suite 1301 State Capitol Bldg.  
P. O. Box 95104 \* Lincoln, NE 68509  
[www.sos.ne.gov](http://www.sos.ne.gov)

## NOTARY PUBLIC RENEWAL APPLICATION

This application is only accepted within the 30 days immediately preceding your current commission expiration date.

APPLICANT INFORMATION				
<b>Print your legal name as it appears on your driver's license, state identification card, or voter's registration (if no driver's license). We suggest your legal name, signature, and seal all match.</b>				
Last Name	First Name	MI	Date	
<b>Home Address</b>				
Street Address	Suite/Unit #			
PO Box (if any)	City	State	Zip Code	
E-mail Address	Phone Number			
<b>Business Address</b> (Required for non-resident applicant.)				
Company Name				
Street Address	Suite/Unit #			
PO Box (if any)	City	State	Zip Code	
E-mail Address	Work Phone Number			
<b>Return Commission Certificate to:</b>	<input type="checkbox"/> Home Address	<input type="checkbox"/> Business Address	<input type="checkbox"/> Email Address at:	
<i>Non-resident applicants must also submit an Evidence of Employment in Nebraska form.</i>				
<b>NOTARY PUBLIC QUALIFICATIONS IN THE STATE OF NEBRASKA</b>				
1. Have you been convicted of a felony?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	4. If you are bilingual, would you allow your name to be placed on a list of bilingual notaries?	YES <input type="checkbox"/> NO <input type="checkbox"/>
2. Have you been convicted of a crime involving fraud or dishonesty?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	4a. List languages in which you are fluent:	
2a. If yes, please detail conviction, the state and the date of the crime. (Attach additional pages if needed.)		5. When does your current commission expire?		
3. Has your name changed since your previous commission?		YES <input type="checkbox"/>	NO <input type="checkbox"/>	Affix impression of your seal below:
3a. If yes, please list previous name.				
<b>ELECTRONIC NOTARY PUBLIC QUALIFICATIONS IN THE STATE OF NEBRASKA</b>				
6. If you're an electronic notary in the State of Nebraska do you want to renew the registration?			YES <input type="checkbox"/>	NO <input type="checkbox"/>
7. What technology do you intend to use for electronic notarization?				
8. I prefer an electronic registration certificate be sent to me at the following email address:				
<b>NOTARIAL OATH</b>				
<b><i>Your signature below will be used to verify signature authenticity when performing notarial acts. You must sign consistently.</i></b>				

State of \_\_\_\_\_ County of \_\_\_\_\_

I, \_\_\_\_\_, do solemnly (swear), (affirm) under penalty of perjury, that the answers to all questions on this application are true and complete to the best of my knowledge; and, I do solemnly (swear) (affirm) that upon appointment, I will support the Constitution and laws of the United States and the State of Nebraska, and I will faithfully discharge the duties of Notary Public and/or Electronic Notary Public in and for the State of Nebraska according to the best of my ability.

X \_\_\_\_\_  
Applicant's Signature

Subscribed and (sworn) (affirmed) before me: this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
(Month) (Year)

^Affix Official Notary Seal^

# **NEBRASKA SECRETARY OF STATE**

**Business Services Division: Notary**  
1445 K St., 1301 State Capitol Bldg.  
P. O. Box 95104 \* Lincoln, NE 68509  
[www.sos.ne.gov](http://www.sos.ne.gov)

## **NOTARY PUBLIC RENEWAL APPLICATION**

### **APPLICANT INFORMATION:**

Name: Enter your legal name for our records. Print name as is listed on your state issued driver's license, identification card, or voter registration name (if no driver's license).

Home Address: You are required to enter your home street address. If you use a P.O. Box, you may include the P.O. Box in addition to your street address. Entering your email address is optional.

Business Address: If you are a non-resident applicant, your business address is required and you must complete this section in its entirety. If you are a Nebraska resident, this section is optional, but if provided, this information may be used to contact you if needed. Entering your email address is optional.

Indicate where you would like your certificate(s) returned by checking the appropriate box. If email is selected, provide the email address where the certificate(s) should be sent.

Please note that email addresses submitted on this application become part of the public record.

Non-resident applicants must also complete and submit an Evidence of Employment in Nebraska form.

### **NOTARY PUBLIC QUALIFICATIONS IN THE STATE OF NEBRASKA:**

All questions in this section must be answered. Read each question carefully and clearly mark the appropriate box or fill in the details to answer question.

### **ELECTRONIC NOTARY PUBLIC QUALIFICATIONS IN THE STATE OF NEBRASKA:**

If you've previously been registered as an electronic notary public, complete questions 6 and 7 in this section in order to renew your electronic notary registration. Read each question carefully and clearly mark the appropriate box or fill in the details to answer the question. Provide an email for question 8 if you would like an electronic certificate of registration sent to you. If you are not an electronic notary and would like to register, complete the Electronic Notary Registration available online at [www.sos.ne.gov](http://www.sos.ne.gov).

Eligibility to register as an Electronic Notary requires a notary hold a valid commission in the State of Nebraska, satisfy the educational requirement of section 64-305; pay the fee required under section 64-306. If you have not met this eligibility but want to register, please email [sos.enotary@nebraska.gov](mailto:sos.enotary@nebraska.gov) or call (402) 471-4425 for more information.

You are not authorized to perform electronic notarial acts (enotarizations) until all requirements are completed and you have received your Electronic Notary Certificate of Registration.

### **NOTARIAL OATH:**

**Do not complete this section until you are in the presence of a Notary Public.** You must sign in the presence of a Notary Public. The Notary Public will complete the state and county information, date, sign, and impress their seal. You may not notarize your own signature.

The signature you place on this application is the signature that you must use when notarizing documents. You must sign consistently. Your signature on the application will be used to verify your signature on additional forms in the filing process, if a complaint is ever filed against you, or if a document you notarize must be certified for use in another country.

Your commission certificate and seal will be issued to match your signature as signed on this application.

### **REQUIREMENTS:**

Applicant must submit the following: Notary Public Renewal Application for Notary Commission and/or Electronic Notary Public Registration, \$15,000 surety bond, U.S. Citizenship Attestation Form, Evidence of Employment in Nebraska Form (Non-residents Only) and pay the \$30 renewal fee for notary. If the applicant is also renewing their electronic notary registration they must pay the \$100 renewal fee for electronic notary in addition to the notary renewal fee. All fees must be made to the Nebraska Secretary of State.

If you have any questions when completing the application, contact the Business Services Division – Notary online at: [sos.notary@nebraska.gov](mailto:sos.notary@nebraska.gov) or call (402) 471-2558. eNotary online at: [sos.enotary@nebraska.gov](mailto:sos.enotary@nebraska.gov) or call (402) 471-4425.

# **NEBRASKA SECRETARY OF STATE**

**Business Services Division: Notary**

1445 K St., 1301 State Capitol Bldg.

P. O. Box 95104 \* Lincoln, NE 68509

[www.sos.ne.gov](http://www.sos.ne.gov)

## **APPLICATION FOR ELECTRONIC NOTARY PUBLIC SOLUTION PROVIDER**

Applications will be rejected for incomplete responses. Please attach additional pages if needed.

<b><u>1. Name of Company or Organization:</u></b>							
<b><u>2. Mailing Address of Company Headquarters:</u></b>							
<u>Street Address</u>						<u>Suite/Unit #</u>	
<u>PO Box (if any)</u>		<u>City:</u>		<u>State</u>		<u>Zip Code</u>	
<b><u>3. Physical Address of Company Headquarters:</u></b>							
<u>Street Address</u>						<u>Suite/Unit #</u>	
<u>PO Box (if any)</u>		<u>City</u>		<u>State</u>		<u>Zip Code</u>	
<b><u>4. Name and Title of Contact Person:</u></b>							
<b><u>5. Mailing Address of Contact Person:</u></b>							
<u>Street Address</u>						<u>Suite/Unit #</u>	
<u>PO Box (if any)</u>		<u>City</u>		<u>State</u>		<u>Zip Code:</u>	
<u>Phone:</u>		<u>Fax:</u>		<u>Email:</u>			
<b><u>6a. Are you currently registered to do business in Nebraska?</u></b>						<u>YES</u> <input type="checkbox"/>	<u>NO</u> <input type="checkbox"/>
<b><u>6b. If yes, provide your Nebraska Secretary of State Entity Account Number or Formation Original Document ID Number:</u></b>							
<b><u>7. Providers must demo the product for the Secretary of State's Office. How will you present?</u></b>						<u>In Person</u> <input type="checkbox"/>	<u>Remotely</u> <input type="checkbox"/>
<b><u>8. What program or software would you use to make a remote demonstration?</u></b>							
<b><u>9. Provide a working model, licensed copy, or account access to your electronic notary solution, including any media (CD or DVD).</u></b>							
<b><u>10. List the States, specific jurisdictions, enterprises, agencies, and/or industries using your e-notary solution.</u></b>							
<b><u>11. How long has the solution's underlying technology been used in electronic notarizations/transactions or electronic commerce?</u></b>							
<b><u>12a. Is your technology interoperable with all other related forms of technology?</u></b>							
<b><u>12b. List any technology it is not compatible with?</u></b>							

13. What are the specific elements, features or operating system(s) that make your system compatible or incompatible with related technologies?

14. Describe the different technologies that do work with your system and how this was confirmed.

15. List the applications that interface with your solution.

16. List the technical components that assure document security and describe how these are applied to the notarized document.

17. Describe how the Secretary of State and other users will be able to electronically authenticate the notary's electronic signature and seal.

18. Describe the process and list the steps used to authenticate the notary.

19. How are document and notarization authenticity and integrity maintained if your solution becomes obsolete or you go out of business?

20a. Does your solution require proprietary applications, software or hardware?

YES

NO

20b. If yes, which ones and who needs to own, access, purchase, download or license what applications, software or hardware?

<u>21a. Is special hardware required?</u>		YES <input type="checkbox"/>	NO <input type="checkbox"/>
<u>21b. If yes, what kind?</u>			
<u>22. Which users need special hardware or software?</u>	<input type="checkbox"/> <u>Sender</u>	<input type="checkbox"/> <u>Recipient</u>	<input type="checkbox"/> <u>Customer</u>
	<input type="checkbox"/> <u>Notary</u>	<input type="checkbox"/> <u>State</u>	<input type="checkbox"/> <u>None</u>
<input type="checkbox"/> <u>Other (explain)</u>			
<u>23. What is the name of the current version of your e-notary solution?</u>			
<u>24. How many versions are there?</u>			
<u>25. In the past, how often have you introduced a new version of your e-notary solution and how often in the future do you intend to do so?</u>			
<u>26a. Will notaries/businesses be required to update the version, license or software of the e-notary solution when you introduce a new version of your software?</u>		YES <input type="checkbox"/>	NO <input type="checkbox"/>
<u>26b. If yes, how much will it cost?</u>			
<u>27. How will you handle suspended, revoked and expired e-notary commissions?</u>			
<u>28. What will trigger the revocation?</u>			
<u>29. How long after you are notified of a revocation will the revocation take to execute?</u>			
<u>30. You must notify the notary and the Nebraska Secretary of State of any suspensions, revocation and terminations. Please specify how you will make these notifications.</u>			
<u>31a. Will you have an appeal or review process for the notary whose commission is suspended or revoked?</u>		YES <input type="checkbox"/>	NO <input type="checkbox"/>
<u>31b. If yes, please explain this process.</u>			
<u>32a. Do you provide instructional documents, online tutorials, technical support or other assistance to users?</u>		YES <input type="checkbox"/>	NO <input type="checkbox"/>
<u>32b. If yes, please describe.</u>			



By signing and submitting this application, I, \_\_\_\_\_, as

(title/position) of \_\_\_\_\_ (name of provider)

agree to:

1. Provide a free and readily available viewer/reader so as to enable all parties relying on the electronically notarized record or document to view the electronic notary signature and the electronic notary seal without incurring any cost;
2. Comply with the statutes, policies, rules and regulations that govern Nebraska notaries public and eNotaries public;
3. Register (or remain registered) to conduct business in the state of Nebraska and remain in good standing while serving as an approved solution provider for e-notaries;
4. Provide an electronic notarization system or solution that complies with the technical specifications and performance standards of the statutes, rules and standards that govern electronic notarization processes and procedures in Nebraska;
5. Suspend the use of any electronic notarization system or solution for any notary public whose commission has been suspended, revoked, or expired by the Nebraska Secretary of State;
6. Require notaries public to present the Electronic Notary Public Certificate of Registration prior to authorizing an electronic notary seal and signature;
7. Verify the authorization of an Nebraska notary public to perform electronic notary acts by accessing the Nebraska Secretary of State's records and comparing the name and electronic notary registration expiration date with the information on the Electronic Notary Public Certificate prior to authorizing an electronic notary seal and signature;
8. Designate an employee to take the mandatory electronic notary public information course and pass the exam in order to establish basic familiarity with Nebraska notary public statutes and rules;
9. Submit changes, modifications, or updates to information previously submitted and approved by the Nebraska Secretary of State's office prior to making any updates or subsequent versions of the provider's electronic notarization system available to Nebraska's electronic notaries;
10. Notify the Nebraska Secretary of State of each notary public who purchases or agrees to use your electronic notarization solution and also who has suspended, revoked or terminated use of the eNotary solution;
11. Submit an exemplar of the electronic notary public signature and electronic notary seal to the Nebraska Secretary of State for each electronic notary public who subscribes to the provider's electronic notary solution.

By my signature below, I, \_\_\_\_\_ swear or affirm that I have reviewed all of the statutes and the Nebraska Secretary of State's rules and regulations on electronic notarization and that the system or solution offered complies with all the electronic notarization statutes, rules and regulations

Authorized Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Please return to:**

Email: [sos.enotary@nebraska.gov](mailto:sos.enotary@nebraska.gov)

Mailing Address: Business Services Division

Attn: eNotary  
1445 K St., Suite 1301  
P. O. Box 95104  
Lincoln, NE 68509  
Phone: (402) 471-4425