



New Notarial Law on the Horizon

Thanks to the hard work of many members of the Association and other stakeholders in the real estate and lending industries, New Mexico is on the verge of having a new law on notarial acts.

The New Mexico Legislature passed the Revised Uniform Law on Notarial Acts (RULONA) and the new law is awaiting the Governor's signature. The Association expects that the Governor will sign this into law, but it is still good for the Governor to hear from constituents. Please contact the Governor's office and encourage her to sign Senate Bill 12 into law. Once signed it will become effective January 1, 2022.

RULONA is a comprehensive revision of New Mexico's Uniform Law on Notarial Acts and modernizes New Mexico's law on acknowledgements to recognize the societal, technological and economic changes that have occurred since the original law was enacted in 2003. The new law recognizes electronic notarial acts and puts them on a par with notarial acts performed on tangible media. In other words, it creates the authority for remote online notarization and gives it the same status and recognition as the traditional, wet-signed in-person acknowledgement.

The new law implements structural and operational rules for notarial acts that were absent in the prior law, so that all notarial acts, whether in person or remote, can be assured of rigorous integrity in the process. These include such provisions as:

- Requiring a personal appearance by the signer, whether in person or remote
- Establishing standards for the verification of a signer's identity
- Establishing security standards for remote acknowledgements, including a requirement for a notary to notify the New Mexico Secretary of State that the notary will be performing remote acknowledgements and confirming the technology that the notary will use.
- Having the New Mexico Secretary of State develop implementing regulations
- Recognizing acknowledgments performed under the jurisdiction of the federal government, other states, Native American tribes and other countries, whether in person or remote
- Allowing certain persons, such as court clerks and licensed attorneys, to perform certain notarial acts
- Requiring a notary to maintain a journal of in-person and remote acknowledgements
- Requiring a commission to act as a notary, including passing an examination and continuing education requirements

RULONA represents a giant step forward in providing greater integrity and flexibility in the notarial process and will serve our industry well. The Association is proud to have been a part of helping to get this legislation passed.

Again, please contact the Governor and ask her to sign the bill into law. Thank you for your help!

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