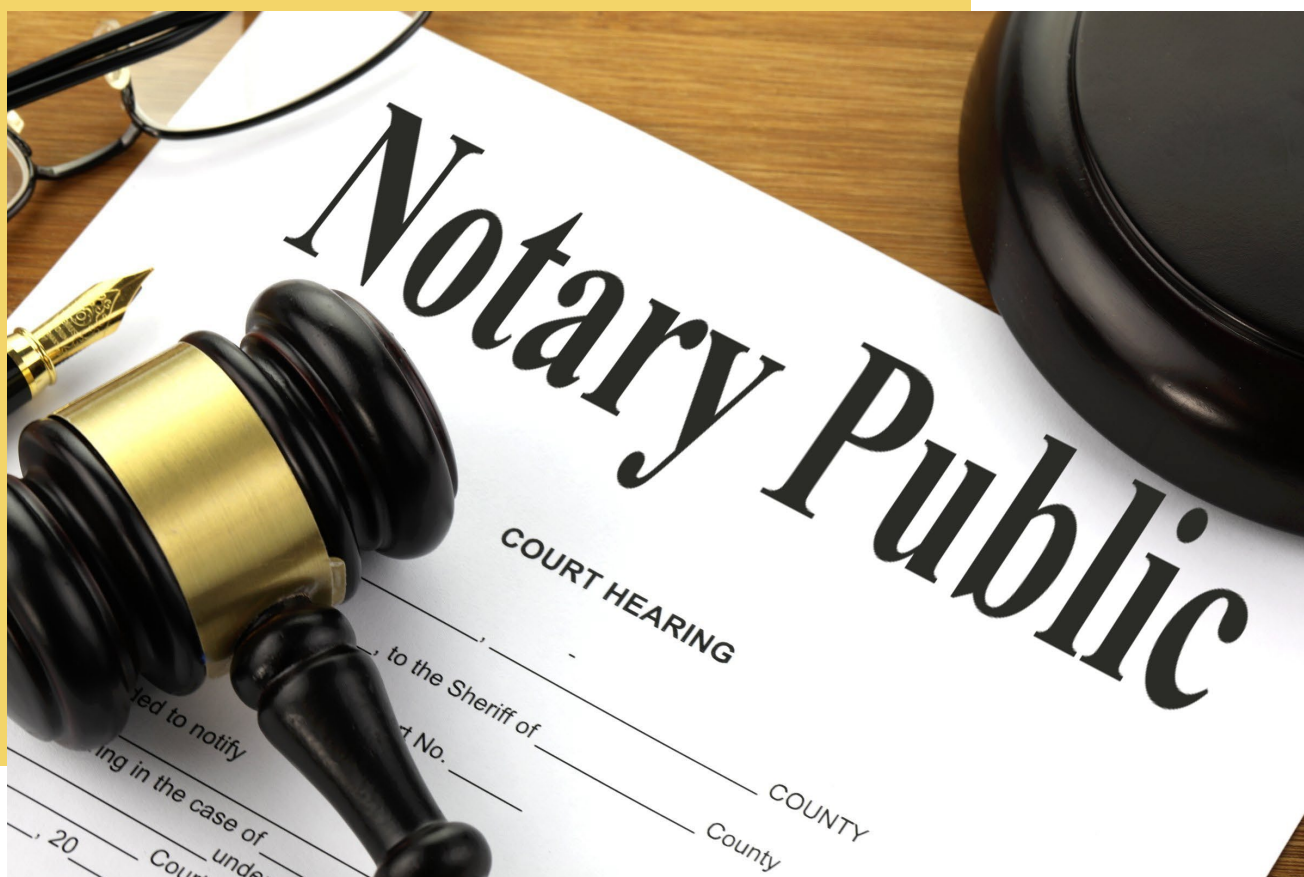




This Photo by Unknown Author is licensed under [CC BY-SA](#)

State of Connecticut Notary Public Manual

Stephanie Thomas, Secretary of the State



TABLE OF CONTENTS

Message from Stephanie Thomas Secretary of the State	4
THE NOTARY PUBLIC	5
1.0 A Public Official	5
1.1 History	5
APPLICATION FOR APPOINTMENT AS A NOTARY PUBLIC	6
2.1 Application and Fee	6
2.2 Examination	6
2.3 Pending Applications	6
2.4 Denial of Appointment	6
APPOINTMENT OF THE NOTARY PUBLIC	7
3.1 Certificate of Appointment	7
3.2 Oath of Office and Recording Appointment	7
Oath Administered to a Notary Public	7
3.3 Application for Renewal of Appointment	7
3.4 Late Renewal and Reinstatement	8
3.5 Change of Name or Address and Replacement Certificates	8
3.6 Resignation or Death of a Notary Public	9
DUTIES AND RESPONSIBILITIES OF THE NOTARY PUBLIC	10
4.1 Powers of the Notary Public	10
4.2 Acknowledgments	10
Sample Form of Acknowledgment for Individual	11
Sample Form of Acknowledgment for Corporation	11
4.2.1 Refusal of Service	11
4.3 Competence	12
4.4 Determining Identity	12
4.5 Credible Witness Acknowledgment	12
Sample Form of Acknowledgment for Credible Witness	13
4.6 Performing Notarial Acts for Minors	13
4.7 Signature by Mark	13
Sample Form of Acknowledgment for Signature by Mark	14
4.8 Oaths and Affirmations	14
Oath Attesting to the Truth of Document	14
Oath Administered to an Office Holder	14
Oath Ceremony	15
Example Alternative Oath - Affirmation	15
4.9 Affidavits	15
Sample Jurat	15
4.10 Depositions and Subpoenas to Deponents	16
4.11 Copy Certification	16
Sample Certified Copy Statement (Long Form)	17
Sample Certified Copy Statement (Short Form)	17
4.11.1 Attestation Procedure as an Alternative to Copy Certification	18
Sample Written Statement for Attestation Procedure	18
Sample Written Statement for Certification	18

4.12	The Notary's Signature _____	19
4.13	The Notary's Seal _____	19
4.14	Changes, Resignations, Lost or Stolen Seals and Stamps _____	19
4.15	Influence _____	20
4.16	Qualification _____	20
4.17	Prohibited Act _____	20
4.18	Notary Public Journals _____	20
4.19	Wills and "Living Wills" and Power of Attorney _____	21
4.20	Remote Notarization _____	21
4.21	Definition of Remote Notarization _____	21
4.22	Identifying the Signer _____	21
4.23	Signing and Dating the Document _____	22
4.24	Prohibited Documents _____	22
4.25	Remote Notarization and the Notary Journal _____	22
ADDITIONAL INFORMATION FOR NOTARIES PUBLIC _____		23
5.1	Notaries Public Appointed in Other Jurisdictions _____	23
5.2	Certification of Corporate Facts _____	23
5.3	Translations _____	23
5.4	Foreign Language Documents _____	24
5.5	Authentications _____	24
5.6	Liability, Bonding and Insurance _____	24
5.7	Disciplinary Action _____	24
5.8	Notary Fees _____	25
5.9	Special Notes and Examples _____	25
APPENDIX A _____		26
	Questions Commonly Asked by Notaries _____	26
	Questions Commonly Asked about Remote Notarizations _____	27
	Sample Form of Acknowledgment for an Individual (Remote Notarization) _____	28
APPENDIX B _____		29
	Connecticut General Statutes Related to Notaries Public _____	29
	Chapter 4* OATHS _____	29
	Chapter 6* Uniform Acknowledgement Act _____	30
	Chapter 8 Uniform Recognition of Acknowledgement Act _____	33
	Chapter 33 Secretary _____	36
APPENDIX C _____		444
	Additional Connecticut General Statutes Related to Notaries Public _____	44
	Contact Us _____	44
	The Office of the Secretary of the State _____	44

MESSAGE FROM STEPHANIE THOMAS SECRETARY OF THE STATE

The commission of notary public is a vital public function. Notaries are called upon to perform many valuable services for Connecticut's citizens and businesses.

I would like to thank you for becoming a Connecticut notary public. As a notary public, you hold an important position as a public official and you play a vital role in ensuring that documents are properly executed, that facts are duly certified, and above all, that the general public is protected from fraud.



Notarization is essential for many official documents including mortgages, deeds, contracts, and various corporate transactions. This manual was designed to provide information to current and prospective notaries public. It contains valuable information on how to apply to become a notary and outlines the important duties of a notary public and how to perform notary services. It should be the first place you look whenever you have a question.

This Connecticut Notary Public Manual has been prepared by the Office of the Secretary of the State as a tool to assist you in the performance of your duties. If you have questions not addressed in this manual, please e-mail our office at bsd@ct.gov.

On behalf of the citizens of Connecticut, thank you for your interest in serving our state as a notary public.

Stephanie Thomas
Secretary of the State

THE NOTARY PUBLIC

1.0 A Public Official

The notary public is a public official appointed by the Secretary of the State through the power vested in the secretary by state law. The notary has the power to administer oaths, take acknowledgments and perform other duties as permitted by law. It is very important that notaries always remember the public nature of the commission they hold. It is the duty of all notaries to serve the public and they shall not unreasonably refuse to perform a notarial act for any member of the public who tenders the statutory fee and meets all requirements prescribed by statute. However, the notary must exercise equal care not to exceed the authority of the commission by offering opinions or advice to persons requesting performance of notarial acts.

Integrity and skill are required of all notaries when discharging their duties. The mere mechanical performance of the duties and responsibilities of this commission cannot ensure the high level of performance and reliability that must be the hallmark of each notarial act. The notary must always comply with Connecticut state law and provide high quality service, while remembering that a notary public does not have the training or authority to prepare legal documents or recommend a course of action in legal transactions. Any person who is in need of such assistance should be advised to consult an attorney.

1.1 History

The commission of notary public has a proud and ancient heritage. As early as the days of the Roman Empire there is mention of its forerunners; the "scriba", "notarii", "tabularii" and "tabelliones." Originally the "notarius" was a mere scribe taking notes or minutes and drafting various instruments. Since few people could write and commercial agreements were made orally, the services of the "notarius" were sought to reduce these agreements to a definite written record. With the growth of commerce and organized civil life, these same services were needed for instruments of contract, disposition of property, and court records, etc. Practically all documents of importance since the early Roman Empire were, at one time, drawn by notaries.

The English notary is an ecclesiastical officer, although his duties are mainly secular, having at one time been appointed by the Popes and subsequently by the Archbishop of Canterbury. On October 25, 1639, Thomas Fugill, a member of Connecticut's New Haven Colony, became the first notary public in America.

In 1784, the governor of Connecticut was empowered by statute to appoint as many notaries as commercial interests rendered necessary or convenient. During this time, a notary was used by the merchants and shipmasters in attesting writings and in the certifying to acts done by him or in his presence, proof of which might be required in distant places or in foreign countries.

Under, chapter XXVII of the acts of 1833, notaries were given the power to administer oaths, take depositions and acknowledge deeds. Statutes were passed at this time providing that acknowledgments of foreign grants, deeds, and mortgages by notaries of foreign jurisdictions would be accepted as valid in this state.

In 1800, there were fifteen notaries in Connecticut; in 1812, thirty-two; 1827, sixty-four; 1932, ten thousand seven hundred eighty-nine; and today, approximately forty-seven thousand.

APPLICATION FOR APPOINTMENT AS A NOTARY PUBLIC

2.1 Application and Fee

Any eighteen-year-old or older person who is a resident of Connecticut or who has his/her principal place of business in Connecticut, may apply to become a notary public in the state of Connecticut. The application for appointment as notary public must be completed partly online and partly in the applicant's own handwriting, along with the nonrefundable statutory fee of one hundred and twenty dollars (\$120.00), with the Office of the Secretary of the State.

All applicants must provide a residential address. Applicants who are non-residents must also provide the address of their principal place of business/employment in Connecticut, which must be kept current because it affects your status as a notary public according to statutory requirements. Effective November 2019, all applicants must provide a valid email address and all correspondence will be sent to that address. A business address will not be used.

2.2 Examination

The examination is incorporated into the online notary public application form and must be completed by each applicant. All questions on the exam must be answered correctly before an applicant will be appointed a notary public. The exam is intended to be a comprehensive test of the applicant's knowledge and ability to perform his/her duties and responsibilities as a notary public.

2.3 Pending Applications

After submission of your application, our staff will review the application materials for legal compliance. If the application fails to meet all legal requirements, your application will be put in "pending" status and you will receive an email detailing the deficiency and how to submit a correction. An application left pending by the applicant in the system for greater than 90 days will result in a failure and the application and fee will be forfeited.

2.4 Denial of Appointment

The Secretary of the State may deny an appointment to any individual who has been convicted of a felony or a crime; who has had a previous commission revoked; or who has engaged in some form of notarial misconduct. Such actions could indicate that the individual would have difficulty meeting the high standard of honesty and integrity that all notaries public must maintain. The secretary may also deny renewal of an appointment for the same reasons.

APPOINTMENT OF THE NOTARY PUBLIC

3.1 Certificate of Appointment

Each notary public is appointed by the Secretary of the State for a term of five years, beginning on the date of appointment and ending in the anniversary month five years later. The appointment is evidenced by a certificate bearing the notary's name and the facsimile signature of the Secretary of the State and countersigned by the Secretary's executive assistant. The certificate is evidence of the public office that the notary holds and should be kept in a safe place. We recommend that notaries display their certificates where they perform their notarial duties. If the certificate is lost or destroyed, a duplicate may be obtained through the online system or by requesting one by emailing bsd@ct.gov. Notary certificates are now emailed, we recommend retaining the original email attaching your notary certificate.

3.2 Oath of Office and Recording Appointment

Upon receiving the Certificate of Appointment, and before performing any notarial act, the notary must take an oath of office. The oath administered to a notary public is found in [section 1-25](#) of the General Statutes:

Oath Administered to a Notary Public

"You do solemnly swear (or affirm, as the case may be) that you will support the Constitution of the United States, and the Constitution of the state of Connecticut; and that you will faithfully discharge, according to law, the duties of the office of notary public to the best of your abilities; so help you God?"

While most notaries swear this oath before a town clerk, the oath may be administered by any person authorized to administer an oath under [section 1-24](#) of the General Statutes. After administering the oath, the jurat must be executed on the Certificate of Appointment by the person administering the oath and signed by the notary.

The appointment and oath of office must be recorded within thirty (30) days of having received the Certificate of Appointment with the town clerk in the town in which the notary resides. If the notary is a non-resident, the recording must be made with the town clerk of the town in which the notary's principal place of business is located.

After completing the mandatory recording described above, notaries may also record their certificate with the town clerk in other towns. This secondary recording is optional. The filing fee for recording the notary's commission and oath is twenty dollars (\$20.00), set by [Section 7-34a](#) of the Connecticut General Statutes.

3.3 Application for Renewal of Appointment

Three months prior to the expiration date of an appointment, an application for renewal of appointment as notary public will be emailed to each notary to his/her registered email address on record with the Secretary of the State's Office or mailed to the notary's residential address if no email is on file. If the applicant wishes to continue to be a notary, the notary must use the log-in information contained in the renewal correspondence, swear that they have not been convicted of a crime since the last appointment, and pay a fee of sixty dollars (\$60.00).

A new Certificate of Appointment will be issued to the notary, and, as with an original appointment, the notary must take the oath of office and record their commission and oath of office with the town clerk. Each term of appointment of a notary public is separate and the same procedure must be followed for each term. Please refer to section 3.2 for details.

It is the notary public's responsibility to inform this office of all changes of name or address or change of email address. Failure to do so may result in non-delivery of the renewal notice and eventual expiration of the notary's appointment. Please refer to section 3.4 for information on renewing an appointment after it has expired.

3.4 Late Renewal and Reinstatement

A notary public's appointment expires at midnight on the "commission expiration date" that appears on his/her Certificate of Appointment. An individual whose commission has expired is no longer a notary public and cannot perform notarial acts. All notarizations must include the commission expiration date. Accordingly, it is a notary's responsibility to know when their commission expires and to take steps to renew their commission in the 90 days leading up to the commission expiration date. It is notary public's responsibility to renew timely, even if they did not receive a renewal reminder from our office.

If a notary's commission expires prior to a new certificate having been issued and received, the notary must cease performing notarial acts until he/she has received the new Certificate of Appointment and has taken an oath of office for the new term.

Our policy is to provide a grace period on commission renewals for up to 90 days following the commission expiration date. Commissions that are in the 90-day grace period are considered "lapsed" and a notary public may not perform a notarial act while the commission is in lapsed status. After 90 days, the commission is considered inactive.

Once a commission is inactive, the only way to re-activate it is through the reinstatement process. The reinstatement process mirrors the requirements of a new application, and the cost is \$120.

3.5 Change of Name or Address and Replacement Certificates

All notaries appointed under Connecticut law who change either their name or residence address are required to report that change to the Office of the Secretary of the State within thirty (30) days. Non-resident notaries must maintain a principal place of business in Connecticut and must report any change in their business address, as well as changes in residence address. Address changes may be reported for free using the online [eLicense system](#). If you need assistance logging in, you may email our office at bsd@ct.gov and we will send you password reset instructions to log-in and change your address.

Initiate a name change for your Notary Public Commission using the online [eLicense system](#). Select **License Maintenance** from your dashboard. A statutory fee of \$15.00 can be paid online.

When a name change is processed, a new certificate will be issued. It is not necessary for the notary to take an oath of office upon receiving a replacement certificate, but if the notary has relocated to a new town of residence or principal place of business, the replacement certificate must be recorded with the town clerk of that new town.

If a notary's **Certificate of Appointment** has been lost, damaged, or destroyed, a replacement certificate can be obtained by reprinting the certificate from the file emailed to the applicant or by logging into the [eLicense System](#).

3.6 Resignation or Death of a Notary Public

A notary may resign his/her commission at any time by advising the Office of the Secretary of the State, in writing, of his/her intention to resign and the effective date of that resignation. All notaries must maintain either a residence or a principal place of business in this state to continue as a Connecticut notary public.

Notaries who no longer have a residence or principal place of business located in this state are obligated to resign their commission at the time they cease to meet the statutory requirements for appointment.

As soon as possible after the death of a notary, the notary's personal representative shall notify the Office of the Secretary of the State in writing that the notary has died and the date of death. In either event, if the notary used a notarial seal, the notary's personal representative must destroy or deface it to prevent its unauthorized use.

DUTIES AND RESPONSIBILITIES OF THE NOTARY PUBLIC

4.1 Powers of the Notary Public

A notary appointed under Connecticut law is a notary for the entire state and may perform his/her duties anywhere within the state. The actions a notary is permitted to take under the law are called "notarial acts." As a notary public, you are expected to understand the difference between each notarial act and how to perform them. The most important and common notarial acts are: (1) acknowledgements (and signature witnessing); (2) taking oaths and executing attestations; and (3) copy certifications. It is also important to know which notarial acts are allowed by statute, but that you should not perform unless you have received specific legal guidance.

4.2 Acknowledgments

An acknowledgment is probably the most common notarial act that the notary will be called upon to perform. It is a formal declaration before an authorized official by the person who executed an instrument that such instrument is his/her free act and deed (e.g., that the person is voluntarily signing the document and is not being pressured or coerced into signing it). A typical instrument requiring an acknowledgment is a conveyance of land, but virtually any document that is signed, can also be acknowledged. The usual acknowledgment form states that the signer of the instrument personally appeared before the notary and acknowledged having signed the instrument for its stated purpose. For an acknowledgment to be properly taken, each of the following requirements should be fulfilled.

The signer must:

1. provide identification, (See, section 4.4)
2. personally appear before the notary,
3. acknowledge that he/she signed the instrument in question, and
4. state that it is his/her free act and deed.

Note: It is always preferable for the signer to sign in the presence of the notary. Unlike a Jurat Certificate where the signer **MUST** sign in the presence of the notary, an acknowledgement may be signed beforehand, however the date of the signature must never be later than the date of the notarization.

The acknowledgment form is one type of notarial certificate. Many documents requiring an acknowledgment will have the appropriate form included in the text, which the notary need only complete. Whenever a notary public takes an acknowledgment, it is vitally important that he/she complete the appropriate acknowledgment form, samples of which appear below.

If there is no such form, the notary may attach and complete an acknowledgment form on the document. This form can be a preprinted attachment, a rubber stamp, or may be printed or typed on the document. The completed acknowledgment form clearly indicates what notarial act has been performed and provides information concerning the execution of the document to anyone who views the document.

Sample Form of Acknowledgment for Individual

State of Connecticut

County of _____ ss. (Town/City)

On this the _____ day of _____, 20____, before me, **(name of notary)**, the undersigned officer, personally appeared **(name of individual or individuals)**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that **(he, she or they)** executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand.

Signature of the Notary Public

Date Commission Expires

Printed Name of Notary Public

Sample Form of Acknowledgment for Corporation

State of Connecticut

County of _____ ss. (Town/City)

On this the _____ day of _____, 20____, before me, **(name of notary)**, the undersigned officer, personally appeared **(name of officer)**, who acknowledged himself/herself to be the **(title of officer)**, of **(name of corporation)** a corporation, and that he/she as such **(title of officer)**, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as **(title of officer)**.

In witness whereof I hereunto set my hand.

Signature of the Notary Public

Date Commission Expires

Printed Name of Notary Public

4.2.1 Refusal of Service

Under [section 3-94f](#) of the General Statutes, a notary “... shall not unreasonably refuse to perform notarial acts in lawful transactions for any requesting person who tenders payment of statutory fee.” This office has not defined the term “unreasonable.”

This law is primarily aimed at refusal to provide notary services based on an individual's personal characteristics, such as race, national origin, gender, sexual orientation, etc. Refusal to provide notary services on this basis is unlawful.

There are other areas where a notary may reasonably refuse service, such as when the notary exclusively provides notarial services to the notary's employer (and not the general public) or when the notary has been advised that notarizing certain documents exposes the employer to unreasonable legal liability. In all cases, our office will review the reasonableness of a refusal to provide notarial services on a case-by-case basis.

4.3 Competence

The notary should always be confident that the individual requesting notarial services is competent. Competence simply means that the individual understands the meaning of his/her actions. The notary should refuse to perform any notarial act for a person who is clearly incompetent. The reason that competence is a core responsibility for a notary to determine goes to the need to determine that a person is signing a document voluntarily. Under the law, a person who is not competent cannot voluntarily sign a document, because he/she does not understand the consequences of his/her actions. If a question of an individual's competence arises, the notary may consult that person's physician or attorney.

When performing any notarization, you may want to question the signer to determine that the individual is willing and competent to execute the document.

- You may also want to have an impartial witness for the notarization.
- Talk to the person alone. Ask questions unrelated to the notarization. Ask for their name, home address, and telephone number. You could also engage the person in a conversation about family, occupation, a television program, a recent news event, etc.
- Ask the signer to tell you about the document to be notarized. What kind of document do you need to sign? Have you read the document completely? Do you understand the document? Do you need someone to explain the contents of the document to you? Has anyone pressured you to sign this document?
- If you believe the person is not competent at the time, you should refuse to proceed.
- If you keep a record of your notarial acts, document the special circumstances of this notarization - even if you must refuse to notarize.
- Have the witness sign your journal.

4.4 Determining Identity

Acknowledgment forms for individuals (see form on page 6) state that the notary either personally knows or has satisfactorily proven the identity of the signer on the basis of documents. If the notary does not know the signer personally, Connecticut law (see [Section 3-94a \(9\)](#) of the Connecticut General Statutes in Appendix B) requires that the signer provide the notary with at least two forms of identification containing the individual's signature, at least one of which also contains the photograph of the signer, or a physical description.

Remember a social security card or birth certificates are not to be used as a form of identification. If an individual requesting notarial services does not have satisfactory forms of identification, identity can be established by the oath or affirmation of a credible witness.

4.5 Credible Witness Acknowledgment

A credible witness is an individual who is personally known by the notary and who personally knows the signer. For example, a notary could rely on a co-worker known to the notary, to identify a third party who does not have the required forms of identification. It is **essential** that the credible witness be "personally known" to the notary. Like all witnesses, the credible witness should be honest, competent and ideally, without interest in the transaction. The notary must administer an oath or affirmation to the credible witness and can use the following acknowledgment certificate.

Sample Form of Acknowledgment for Credible Witness

State of Connecticut

County of _____ ss. (Town/City)

On this the _____ day of _____, 20____, before me, the undersigned notary public, personally appeared **(name of signer)**, proved to me on the basis of satisfactory evidence, in the form of the oath/affirmation of **(name of credible witness)**, to be the person whose name is **(signer)** subscribed to the within instrument and acknowledged that **(he, she or they)** executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand.

Signature of the Notary Public

Date Commission Expires: _____

4.6 Performing Notarial Acts for Minors

Notaries will occasionally be asked to perform notarial acts for younger persons. Two issues arise in such cases that make these transactions different from the usual notarial act. Frequently, younger persons do not have adequate forms of identification to meet the requirement for satisfactory proof of identification. One means of addressing this obstacle is to recommend that the notarial act be performed by a notary who personally knows the individual. Another option would be to obtain identification through the oath or affirmation of a credible witness (see Sec. 4.5 Credible Witness Acknowledgment).

The second issue is that of competence. The notary must be confident that the younger person understands the nature of the document he/she is signing. It is not the notary's responsibility to determine whether a minor may reasonably execute a document. If that does become an issue, it will be for a judge to determine. However, the notary must determine whether the minor understands what they are signing and to do so, the notary should consult section 4.3. While keeping a notary journal is always recommended, it is particularly important when notarizing a document for a minor.

4.7 Signature by Mark

If a person cannot sign his or her name because of a physical handicap or illiteracy, a mark can serve as a signature. A mark, usually an "X," can suffice. Two witnesses in addition to the notary should be present when a person signs by mark. The name of the person who signs by mark should be written near the mark by one of the witnesses. The witnesses should also subscribe their own names to the document as witnesses, and to the notary's journal. The following form is a widely used signature by mark certificate.

Sample Form of Acknowledgment for Signature by Mark

State of Connecticut

County of _____ ss. (Town/City)

On this the _____ day of _____, 20____, before me, the undersigned notary public, personally appeared **(name of signer)**, known to me (or proved to me on the basis of satisfactory evidence), to be the person who made and acknowledged making his/her mark within the instrument in the presence of the two persons indicated below who have signed the within instrument as witnesses, one of whom, **(name of witness)**, also wrote the name of the signer by or near the mark.

Signature of the Notary Public

Date Commission Expires: _____

Witness #1

Witness Name: _____

Witness Address: _____

Witness #2

Witness Name: _____

Witness Address: _____

4.8 Oaths and Affirmations

Notaries are authorized under [section 1-24](#) of the General Statutes to administer oaths. Typically, a notary is called to administer an oath under two circumstances: (1) when the signer must swear to the truth of a document or other writing or (2) when a person is assuming a public office that requires an oath. Oaths and affirmations must be given in person. An oath is an affirmation of the truth of a statement, which renders any person who willfully makes untrue statements subject to the penalties for perjury or false statement. The term includes all forms of attestations by which a party signifies that he is bound in conscience to perform the act faithfully and truthfully. The following are the oaths administered under the two most common circumstances:

Oath Attesting to the Truth of Document

“You do solemnly swear that the statements contained herein are true to the best of your knowledge and belief, so help you God?”

Oath Administered to an Office Holder

“You do solemnly swear that you will faithfully discharge, according to law, your Duties as to the best of your ability, so help you God?”

Note, [section 1-25](#) of the General Statutes contains the form of oaths for specific offices and activities. If a more particular oath is applicable, the notary shall use the oath prescribed by statute.

Oath Ceremony

The person taking the oath holds up his right hand and the notary administers the applicable oath.
The person to whom an oath is administered should answer "I do."

If a person by reason of scruples or conscience, objects to such a ceremony, or if the notary administering the oath has reason to believe that any other ceremony will be more binding upon the conscience of the person taking the oath, he/she may permit or require any other ceremony to be used.

If the person so objects, the oath shall still be administered except the words "solemnly and sincerely affirm and declare" should be used as a replacement for of the word "swear," and instead of the words "so help me God" the words "upon the pains and penalties of perjury or false statement" should be used.

Example Alternative Oath – Affirmation

"Do you solemnly and sincerely affirm and declare that the statements contained herein are true to the best of your knowledge and belief, upon the pains and penalties of perjury or false statement?"

4.9 Affidavits

An affidavit is a written or printed declaration or statement of facts, made voluntarily and confirmed by the oath or affirmation of the party making it before an officer having authority to administer such oath or affirmation.

The usual procedure for indicating that an oath has been administered in connection with an affidavit is as follows:

The notary administers an oath to the party making the affidavit.

The party then signs the affidavit in the presence of the notary. The notary then attaches the following certificate, which is commonly called a jurat, to the affidavit:

Sample Jurat

Subscribed and sworn to before me this _____ day of _____, 20_____.

Signature of the Notary Public

Date Commission Expires

Printed Name of Notary Public

When you administer an oath and prepare a jurat, the emphasis is on the oath as to the accuracy of the statements in the document and the signer's identity. When you take an acknowledgment, the emphasis is upon the fact that the act is the free act and deed of the signer and the verification of his/her identity.

4.10 Depositions and Subpoenas to Deponents

The average notary is not called upon to perform this duty because it requires technical knowledge of the method and steps to be employed in order to perform this function properly. A notary should not attempt to issue a subpoena unless he/she is thoroughly familiar with the preparation of these documents. The notary can refer a person seeking this service to the clerk of the court in which the action is being heard or to an attorney. Court clerks have the authority to issue subpoenas on behalf of pro se clients. See Appendix C for the relevant statutory references.

4.11 Copy Certification

Under Connecticut law, notaries have the authority to make “certified” or “true” copies of many, but not all documents. It is a very common request and notaries should be prepared to meet such requests in a helpful manner. This office recommends that all notaries refer to [Section 3-94a \(2\)](#) of the Connecticut General Statutes and utilizes the following procedure or the alternative procedure found under Sec. 4.11a:

Copies of public records are “certified” when the authority having custody of the records confirms that they are true and accurate copies of the originals. Alternatively, the notary can have the bearer of the document sign and swear to a statement about the “truth and accuracy” of the document. The notary signature goes on the statement not the document.

For copy certification, a notary public is presented with an original document and (1) copies or supervises the copying of such document using a photographic or electronic copying process; (2) compares the original document presented to the copy; and (3) certifies that the copy is an accurate and complete reproduction of the original document that was presented.

However, there are exceptions to this law that include: (1) the copying of vital or public records; (2) a document required to be recorded by a state or political subdivision; or (3) a document issued by a federal agency and federal law does not allow the copying of the document.

Vital records include a certificate of birth, death, fetal death, or marriage. Public records include documents that are filed with and maintained by a public record keeper such as a town clerk, court clerk, or the Secretary of the State. Copies of public records may only be “certified” when the authority having custody of the records confirms that they are true and accurate copies of the originals. This may also include certain Immigration and Naturalization Service (INS), Internal Revenue Service (IRS), or Department of State documents.

[Section 7-62a](#) of the Connecticut General Statutes (reproduced in Appendix C), entitled “Illegal issuance of certificates,” specifically prohibits anyone other than a town clerk/registrar of vital statistics or the Commissioner of Public Health from preparing certified copies of certificates of birth, marriage, death or fetal death. This provision acts as a safeguard against the falsification of information in these certificates. These records are viewed as critical or “vital” records and are maintained by public record keepers to insure the accuracy and integrity of the information they contain. If an individual requires a certified copy of such a document, he/she should be directed to the public record keeper who has custody of those records. A notary should never perform a notarial act in connection with a photocopy of any such document.

Certain Immigration and Naturalization Service documents also fall into this category. If a notary is asked to perform a notarial act in connection with a document that appears to be a public record, the notary should try to determine if the copy would be more appropriately prepared by the public record keeper who has custody of the original.

Sample Certified Copy Statement (Long Form)

State of Connecticut

County of _____ ss. (Town/City)

On this the ____ day of _____, 20____, I certify that the preceding or attached document, is a true, exact, complete, and unaltered copy made by me of (description of document), presented to me by the document's custodian, _____, and to the best of my knowledge, the photocopied document is neither a public record or vital record, not a publicly recordable document, certified copies of which are available from an official source other than a notary.

Signature of the Notary Public

Date Commission Expires

Printed Name of Notary Public

Sample Certified Copy Statement (Short Form)

State of Connecticut

County of _____ ss. (Town/City)

On this the ____ day of _____, 20____, I certify that the preceding or attached document, is a true, exact, complete copy of the original, made by me or under my supervision, of (description of document), presented to me by the document's custodian.

Signature of the Notary Public

Date Commission Expires

Printed Name of Notary Public

4.11.1 Attestation Procedure as an Alternative to Copy Certification

The notary may also request that the person presenting the document make a photocopy and prepare a written statement, which may be attached to or written on the photocopy itself, stating that it is a true copy of the original (See, Sample Written Statements for Attestation Procedures). The requesting party signs the statement in the notary's presence.

Sample Written Statement for Attestation Procedure

State of Connecticut

County of _____ ss. (Town/City)

I, (Name of Custodian of Original Document), hereby swear (or affirm) that the attached copy of (Description of attached document, title, or type of document) is a true and accurate copy of a document in my possession.

Signature of Custodian of Original Document

Subscribed and sworn to before me this _____ day of _____, 20_____.

Signature of the Notary Public

Date Commission Expires:

Printed Name of Notary Public

Sample Written Statement for Certification

State of Connecticut

County of _____ ss. (Town/City)

On this the ___ day of _____, 20____, I certify that the _____ (affixed or attached document) has been visually confirmed by me to be a true, exact, and complete copy of the image or text of (description of original document), presented to me by _____ or held in my custody as a notarial record, and that, to the best of my knowledge, the copied document is neither a vital record, a public record, nor a publicly recordable document, certified copies of which may be available from an official source other than a notary public.

Signature of the Notary Public

Date Commission Expires:

Printed Name of Notary Public

4.12 The Notary's Signature

In any circumstance when a notary's signature is required, it must always be the original signature of the notary signed exactly as the name appears on the notary's certificate of appointment. If a seal and/or stamp is not used, the notary should type, stamp or print legibly his/her name in close proximity to his/her signature. The notary cannot use a signature stamp in place of his/her signature, and no other person can sign on behalf of the notary.

4.13 The Notary's Seal

Connecticut state law does not require that notaries obtain and use a seal, or rubber stamp. Even though the use of a seal is optional, state law does prescribe the format of the seal to be used. The notary seal must include the notary's name as it appears on their certificate of appointment, the words "Notary Public" and "Connecticut" as shown in **Fig. 1**. State law does give the notary the option of having the words "My Commission Expires (commission expiration date)" appear on the seal. However, most notaries find that it is more practical to have their commission expiration date appear on a separate rubber stamp along with their name, and title of notary public as shown in **Fig. 2**.



Fig. 1 Form of Notary's Seal

John Q. Notary
Notary Public
My Commission Expires (Month, Day, Year)

Fig. 2 Form of Notary's Rubber Stamp

All seals and stamps are obtained from private vendors at the notary's own expense and always remain the property of the notary. This is true even if the notary's employer paid for these items. The only person who has the authority to possess and use a notary's seal and/or stamp is the notary whose name appears on the seal.

When using the seal, the impression should be affixed near, but not over, the notary's signature. The stamp bearing the words "My Commission Expires" should be placed below the notary's signature and the notary must write in the date on which their commission expires, unless the date appears on the stamp. It is important for the notary to remember that he/ she must sign his/her name exactly as it appears on his/her certificate of appointment and notary seal.

4.14 Changes, Resignations, Lost or Stolen Seals and Stamps

When a notary files a change of name with the Office of the Secretary of the State, that change of name becomes effective the date of issuance of a new Certificate of Appointment. A notary, who uses a seal or stamp, will have to obtain a new seal or stamp reflecting the name change.

When a notary who uses a seal or stamp resigns his/her commission, or allows his/her commission to expire, he/she must destroy or deface his/her seal or stamp to prevent its unauthorized use.

If a notary seal or stamp is lost or stolen, the notary should notify both the local police and the Office of the Secretary of the State. The notary should also notify the Department of Motor Vehicles, Dealers, Repairers & Emissions Division, in writing, at 60 State Street, Wethersfield, CT 06109. The Secretary's office will record the loss or theft to protect the notary. If the notary chooses to replace the seal, some distinguishing element may be introduced to differentiate the new seal.

4.15 Influence

A notary must always remain impartial and cannot advise or influence a person to enter into or refrain from entering into a lawful transaction that involves a notarial act to be performed by the notary.

4.16 Qualification

A notary is disqualified from performing a notarial act if the notary is a signatory of the document to be notarized. Persons who only witness the signing of a document are not considered to be signatories and, therefore, may also perform notarial acts in connection with documents they have witnessed.

It is important for the notary to remember that all notarial acts must be performed with impartiality.

The Office of the Secretary of the State strongly recommends that notaries exercise great caution when performing notarial acts in transactions where the notary has some beneficial interest, or which involve family members. In certain instances, the notary may choose to voluntarily disqualify him/herself from performing notarial acts in connection with such transactions.

4.17 Prohibited Act

A notary is prohibited from performing any official act with the intent to deceive or defraud and it is the responsibility of the notary to refuse to perform any such act.

A notary shall not unreasonably refuse to perform notarial acts in lawful transactions for any requesting person who tenders payment of the statutory fee and meets all other requirements prescribed by statute.

The notary is also prohibited from using his/her title or seal in an endorsement or to promote any product, service, contest, or other offering in any way.

4.18 Notary Public Journals

Connecticut state law does not require that notaries maintain a journal of their notarial acts. However, it is the very strong recommendation of the Office of the Secretary of the State that they do so. The journal is a record of the notarial acts performed and could be vital in protecting the notary from possible liability. A notary shall not unreasonably refuse to perform a notarial act for lawful transactions. The journal should be a bound book to prevent loss or substitution of pages, and the notary should record the following information for each transaction:

1. the date and time of the notarial act;
2. the nature or type of notarial act performed;
3. a description of the document or proceeding;
4. the signature, printed name and address of each person for whom a notarial act is performed;
5. the method by which a person's identity has been determined;
6. the fee, if any is charged; and
7. the place where the notarial act was performed.

4.19 Wills and “Living Wills” and Power of Attorney

Performing any notarial act in connection with a will is a very serious matter, because of the importance of the document itself; the circumstances under which it will be used; and the consequences that could result from the improper execution of the document. A notary should only perform a notarial act in connection with a will if the instrument specifically provides for such act. (See [section 45a-251](#) of the Connecticut General Statutes in Appendix C).

If a notary is uncertain as to how to perform a notarial act in connection with a will, the notary should seek the advice of an attorney or refuse to perform the notarial act. A notary public is not trained or authorized to assist persons in the execution of wills. If the testator asks the notary for assistance, the notary should refer that person to an attorney. The notary should be particularly cautious with regard to holographic, or "handwritten" wills.

Notaries may also be asked to take acknowledgments in connection with "Living Wills." These documents are not wills, but rather an expression of an individual's wishes concerning any aspect of his/her health care. Notaries may take acknowledgments in connection with these documents using the usual procedures for that notarial act (see Sec. 4.2, 4.3 and 4.4).

4.20 Remote Notarization

[Section 3-95b](#) of the Connecticut General Statutes permits a notary public to perform certain notarial acts for an individual who is not physically present with the notary if the requirements of the law are met. Notaries are not required to offer remote notarization.

4.21 Definition of Remote Notarization

A notarial act where the signer is not physically present before the notary. Instead, the notary and signer meet via communication technology, which means simultaneously and by sight and sound unless some other means is necessary to accommodate a disability.

The definition of “communication technology” refers to internet video conferencing applications, such as Zoom, Teams, Webex or Google Meet.

4.22 Identifying the Signer

As with all notarial acts, a notary public must verify the identity of the signer. For remote notarizations, the notary public is provided with three methods authorized for in-person notarizations and adds a fourth option - 3rd party identification verification system - that is available only for remote notarizations.

1. **Personal knowledge.** If the notary personally knows the signer's identity, the identity verification requirements are met.
2. **Government ID.** Whereas state statute requires two forms of identification for in-person notarization; only one form of government ID is required for remote notarization. The government ID must be current and contain the signer's photograph, name and signature. Since the ID will be shown over video camera, it is recommended that the notary take and retain a screen capture of the signer holding the identification to the camera.
3. **Two types of 3rd party ID verification system.** These applications are provided by third-party software providers and identify the person by use of biometric data, such as a fingerprint, or by reference to a unique ID number, such as a driver's license, passport, or social security number. This technology is typically embedded in software utilized in states that authorize full remote

online notarization, which Connecticut does not allow. Accordingly, notaries may find it difficult or cost prohibitive to obtain this software as a standalone service.

4. **Credible witness.** Like with in-person notarizations, if the signer is unable to provide identification, the signer's identity may be verified by oath or affirmation of a credible witness. The witness must be in the presence of the notary or signer or connected to both through video and audio. The witness must identify themselves using one of the three methods above.

4.23 Signing and Dating the Document

The document must be signed by the signer while connected with the notary by communication technology. The physical document must then be delivered to the notary, who will then sign the document, complete the notarial certificate, and deliver it back to the signer.

The notarial certificate shall state that the date the document was signed was the date the notary and the signer met by communication technology. Because of the delivery requirement, in most cases the notary will actually receive, execute the notarial certificate, and sign the document several days after the signer has signed it.

4.24 Prohibited Documents

Remote Notarization is not permitted for the following documents:

1. Wills or trusts;
2. Property sales/conveyances and other documents connected with a real estate closing;
3. Health care directives;
4. Standby guardianship papers; and
5. Powers of Attorney.

Therefore, the notary must be extremely cautious when remotely notarizing any document and ensure that the document is not on the prohibited list before doing so. If the notary has any doubts whether the document may be remotely notarized, the notary may refuse to conduct the remote notarization.

4.25 Remote Notarization and the Notary Journal

Like with in-person notarizations, we strongly recommend keeping a notary journal for your own protection, see Section 4.18. In addition to the information that a notary would journal for an in-person notarization, we recommend recording the location of the signer, the method that was used to meet with the signer and whether a recording of the video was retained.

ADDITIONAL INFORMATION FOR NOTARIES PUBLIC

In the course of performing your duties and responsibilities, you will certainly be confronted with unusual requests and situations. In the following paragraphs you will find information about some of the more common problems you might encounter as a notary public.

5.1 Notaries Public Appointed in Other Jurisdictions

Each state of the United States and virtually every other country in the world also appoints notaries. The duties, responsibilities and authority of notaries appointed in other jurisdictions may vary considerably from Connecticut appointed notaries. This is particularly true of notaries appointed in other countries. For example, in many Spanish-speaking countries, the "notario publico" is empowered to perform certain services that are reserved to the legal profession in the United States.

Notaries public appointed by the State of Connecticut should never use a foreign language term to describe their office. The use of such a term could mislead a person seeking notarial services into believing that the notary had the authority to provide services, which are not allowed under Connecticut's notary law.

5.2 Certification of Corporate Facts

A notary may execute an attestation certifying that a copy is true and accurate, see Section 4.11.

Notaries in certain foreign countries are empowered to prepare certificates stating facts about corporations. It is common for these certificates to confirm that a corporation exists and that certain individuals have been duly elected as officers, and that the notary's review of the corporate by-laws confirms that the corporation is authorized to act in certain transactions.

Connecticut notaries have no authority to certify corporate facts. The usual procedure in the United States is for the president, secretary or another officer of a corporation to certify the accuracy of corporate information, including the incumbency of officers. That certificate can then be acknowledged or sworn to before a Connecticut notary public. This is a more specific example of the copy certification process described in Section 4.11.

5.3 Translations

It is important for notaries to recognize that a notary public has no authority to certify translations. If a notary public has the ability to prepare translations of documents from one language to another, he/she **cannot** notarize the translation. The accuracy of the translation can be made under oath. However, the oath and notarial certificate must be completed by another notary or by another person authorized to administer oaths. The notary **cannot** perform both acts in connection with the same document.

5.4 Foreign Language Documents

On occasion, notaries public will be asked to perform notarial acts in connection with documents prepared in a language that they do not understand. The notary should use his/her best judgment when deciding whether or not to perform a notarial act under these circumstances.

If the notary decides to proceed with the notarial act, he/she should at a minimum, be able to determine the nature of the document(s) and if the notary keeps a journal this notarial act should be noted in his/her journal. When performing a notarial act in connection with documents that he/she cannot understand, he/she should only sign a notarial certificate, (the form of acknowledgment or jurat); in a language he/she can read and understand.

5.5 Authentications

On occasion, particularly when documents are to be used outside of this country, the appointing authority will be asked to confirm the appointment and term of a notary public. This process is often described as "authentication". The Secretary of the State's office prepares and attaches a certificate to the originally and properly executed document(s).

The confirmation can only be to Connecticut public officials, whose term of office is on record with the Secretary of the State's office. The notary public who performed the notarial act on a particular document requiring an authentication should contact or refer the individuals to the Secretary of the State's office for additional information.

5.6 Liability, Bonding and Insurance

A notary is liable to any person for damages that result from the misconduct of the notary. The notary may elect to at least partially protect themselves from actions seeking damages by purchasing a bond or errors and omissions insurance. These products are available through insurance agents and notary organizations, in varying amounts. The notary should discuss the nature and extent of the protection available through a bond, with the provider.

An employer of a notary is also liable to any person for damages that result from the misconduct of the notary, if the employer ordered or approved of the notary's misconduct, either in the specific transaction or implicitly by previous actions in at least one prior transaction.

If the notary's misconduct resulted from a threat of dismissal or demotion made by the employer in connection with a particular notarial act, or implicitly by previous actions in at least one prior transaction, the employer is liable to the notary for damages recovered from the notary. The employer is also liable to the notary for damages caused by dismissal, demotion, or other action taken against the notary resulting from the notary's refusal to commit official misconduct.

5.7 Disciplinary Action

The Secretary of the State is empowered by state law to issue a written, official warning and reprimand to a notary, or may temporarily suspend or permanently revoke a notary's commission for an act of official notarial misconduct, for any reason for which an application might be denied, or for a violation of any provision of the general statutes.

The notary who is the subject of a charge or complaint, will be given an opportunity to respond prior to any disciplinary action being taken, in accordance with the provisions of the Uniform Administrative Procedures Act, Sec. 4-166 through 4-189 of the Connecticut General Statutes. In the event that a notary's commission is either suspended or revoked, the town clerk of each town in the state will be notified by the Secretary of the State's Office.

5.8 Notary Fees

Effective July 1, 2026, the fee for any act performed by a notary public, in accordance with the provisions of the general statutes, shall not exceed ten dollars (\$10.00) plus an additional rate for each mile of travel not exceeding the business standard mileage rate determined by the Internal Revenue Service.

5.9 Special Notes and Examples

Paying close attention to details safeguards and eliminates the reason for rejection, delay and notarial errors of an improperly executed document.

Improper	Proper
Documents that do not have preprinted or handwritten notarial certificates attached to them.	The notary should always place a notarial certificate on the document that requires notarization.
A notarial certificate not signed by the notary or a notarial certificate with a seal and/or stamp, but not signed by the notary.	In any circumstance when the notary signature is required, it must be the original signature of the notary signed exactly as the name appears on the notary’s certificate of appointment. The notary cannot use a signature stamp. No other person can sign on behalf of the notary. If a seal and/or stamp is not used the notary’s name should be typed, stamped or printed legibly in close proximity to the signature.
A notarial certificate signed by the notary without his/her date of commission expiration.	The notary public must always sign and provide their commission expiration date, which indicates he/she is currently commissioned a notary public.
A document not signed by the intended signer.	A notary must always witness a signature on a document. The signature cannot be a photocopy. The signer must always appear in person.
The notary public signs a public record and/or certifies a public record. Public records are: certificates of birth, death, fetal death, marriage, court certified documents such as judgments, certain town records and certain immigration and naturalization documents.	Copies of public records can only be certified when the authority having custody of records confirms that they are true and accurate copies of the original. It is illegal for Connecticut notaries to perform notarial acts in connection with any such documents.

APPENDIX A

Questions Commonly Asked by Notaries

Question: How many witnesses are there to a deed?

Answer: Usually two; however, a notary should not be advising on the form of a deed. This should be done in conjunction with an attorney. In a land conveyance, the notary's job is to ensure proper acknowledgement of the conveyance documents. It is for an attorney to determine the proper procedures to legally transfer title of property from one party to another.

Question: Can a notary who is not an attorney assist in the completion of legal forms?

Answer: No. The notary must always remain impartial and should not assist a client in the completion of any forms. If the form is a legal instrument, the notary's assistance could be determined to be unauthorized practice of the law, so a notary should never give any legal advice.

Question: How important is a notary journal?

Answer: Very important. It is a record of the notarial acts performed by the notary public. If a notarial act is called in to question in court or another proceeding a properly completed notary journal may be critical evidence to show that the notarial act was performed properly.

Question: Can a notary acknowledge his own signature?

Answer: Absolutely not. It is impossible for a notary to be a witness to his own act. It is strictly prohibited by Connecticut law.

Question: When is it proper to refuse to perform a notarial act?

Answer: As a public official, a notary shall not unreasonably refuse to perform a notarial act for anyone who tenders the statutory fee and meets all other requirements prescribed by statute. However, if the notary seriously questions the identity or competence of the signer, or if the instrument in question is blank, contains a false statement, or is intended to deceive or defraud, the notary may and should refuse to perform the notarial act.

Question: Can a Connecticut notary perform a notarial act outside of the state?

Answer: No. A Connecticut notary is appointed for the State of Connecticut only. They may perform notarial acts anywhere within the state, but at no time can they perform such acts outside of the state.

Question: Does notarization mean that the document is "true" or "legal"?

Answer: No, notaries are not responsible for the accuracy or legality of documents they notarize. Notaries verify the identity of signers. For attestations (affidavits/jurats), the signer affirms that the contents of the document are true, but the notary is not responsible for verifying the truth of the document. The signer is responsible for the content of the document.

Question: What does the *ss.*, in the venue of a notarial certificate mean?

Answer: The *ss.*, is an abbreviation of the Latin word "*scilicet*," meaning "namely," or more particularly the exact location or the designated particular place within a city and/or county where the official notarial act was performed.

Question: Can real estate closings be conducted by a Notary Signing Agent?

Answer: Connecticut does not license Notary Signing Agents. Notary Signing Agents need to consult a local attorney to understand the limits of what they can and cannot do in Connecticut.

Questions Commonly Asked about Remote Notarizations

Question: Does the law require me to use certain software when conducting a remote notarization?

Answer: No, the law only specifies that the software allow you to see and hear the signer.

Question: Do I need to keep a recording?

Answer: No, unlike in other states, the Connecticut law does not require the notary to keep a recording. Nevertheless, it is strongly recommended that the notary keep a recording of every remote notarization conducted for at least 10 years.

Question: Can I notarize the document electronically?

Answer: Our office does not currently accept a document that is executed (signed) electronically. All remote notarizations should be done on paper and that the notary sign and certify the document by hand (wet-ink signature).

Question: I don't want to do remote notarizations, does the law require me to?

Answer: No, if the notary wishes to conduct only in-person notarizations, the notary may do so.

Question: Can I conduct a remote notarization for a resident of another state or country?

Answer: Yes, the remotely located signer can be located anywhere and the signer does not need to meet a resident requirement. However, the document being notarized must have some connection with the state of Connecticut, if the signer is located outside of the State (which includes a Connecticut resident temporarily located out-of-state).

If the signer is located out-of-state, the Notary should establish the document's connection with the state of Connecticut prior to performing the notarial act. Specifically, if the signer is located outside of Connecticut, the document must be:

1. intended for presentation to a Connecticut court;
 2. involved in a piece of property in Connecticut or substantially associated with; or
 3. not prohibited by law.
-

Question: Must I be located in Connecticut when conducting a remote notarization?

Answer: Yes, under [section 1-57](#) of the General Statutes a notarial act performed outside of this state will be granted the same effect as a notarial act performed within the state only if notarized by "[a] notary public authorized to perform notarial acts in the place in which the act is performed." Further, an out of state acknowledgement will only be recognized if "the certificate is in a form prescribed by the laws or regulations applicable in the place in which the acknowledgment is taken." [Section 1-60](#) of the General Statutes. If a Connecticut notary is physically located outside of the state, the laws of that state govern, not Connecticut.

Question: Should I use a different acknowledgement block if I'm conducting a remote notarization?

Answer: Yes, the acknowledgement block (aka the notarial certificate) must indicate that the signer appeared by means of communication technology, rather than in-person. Where the standard acknowledgement says "personally appeared" the following should substituted, "appeared by means of communication technology." We also suggest that the block identify the means of communication technology (e.g., via Zoom).

Sample Form of Acknowledgment for an Individual (Remote Notarization)

State of Connecticut

County of _____ ss. (Town/City)

On this the _____ day of _____, 20____, before me, the undersigned notary public, appeared by means of communication technology (name of individual or individuals), know to me or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged that (he, she or they) executed the same for the purposes therein contained. The communication technology utilized was (technology used).

In witness whereof I hereunto set my hand.

Signature of the Notary Public

Date Commission Expires: _____

Printed Name of Notary Public

Question: Can a Connecticut Notary notarize an out-of-state deed or real estate conveyance?

Answer: Yes, there is no explicit prohibition on a Connecticut notary executing a deed or land conveyance for property located out-of-state. However, it is recommended that the notary take the following precautions:

- The notary should confirm with the signer that the signer is being instructed to execute the deed/conveyance before a Connecticut notary at the instruction of an attorney licensed to practice law in the state/jurisdiction where the property is located. Although the notarial act itself is governed by Connecticut law, the real estate transaction is governed by the law of the jurisdiction where the property is located. So the notary should take measures to ensure they he/she is not engaging in the unauthorized practice of law in that jurisdiction.
- The notary should confirm that the deed/conveyance truly relates to property located outside of Connecticut. Notaries must be cautious with documents transferring real property because (a) Section 3-95b prohibits remote notarizations for most such transactions if they involve property in Connecticut; and (b) notarizing a Connecticut land record without explicit direction of an attorney licensed in Connecticut may constitute the unauthorized practice of law.
- If done remotely, the notary should ascertain the connection between the transaction and the state of Connecticut. Because the property is located outside of Connecticut, such a connection would include that either the seller or the buyer are Connecticut residents. If both the seller and buyer are out-of-state residents, the notary should not sign the deed/conveyance unless the notary confirms that the signer is physically located in the state of Connecticut at the time of the notarial act. If the signer is not a Connecticut resident and is not located within the state at the time of the notarial act, the transaction would have no connection to Connecticut and therefore a remote notarization would not be appropriate under these circumstances.

APPENDIX B

Connecticut General Statutes Related to Notaries Public

Chapter 4* OATHS

Sec. 1-22. Ceremony. The ceremony to be used, by persons to whom an oath is administered, shall be the holding up of the right hand; but when any person, by reason of scruples of conscience, objects to such ceremony or when the court or authority by whom the oath is to be administered has reason to believe that any other ceremony will be more binding upon the conscience of the witness, such court or authority may permit or require any other ceremony to be used.

Sec. 1-23. When affirmation may be used. When any person, required to take an oath, from scruples of conscience declines to take it in the usual form or when the court is satisfied that any person called as a witness does not believe in the existence of a Supreme Being, a solemn affirmation may be administered to him in the form of the oath prescribed, except that instead of the word “swear” the words “solemnly and sincerely affirm and declare” shall be used and instead of the words “so help you God” the words “upon the pains and penalties of perjury or false statement” shall be used.

Sec. 1-24. Who may administer oaths. The following officers may administer oaths: (1) The clerks of the Senate, the clerks of the House of Representatives and the chairpersons of committees of the General Assembly or of either branch thereof, during its session; (2) state officers, as defined in subsection (t) of section 9-1, judges and clerks of any court, family support magistrates, judge trial referees, justices of the peace, commissioners of the Superior Court, notaries public, town clerks and assistant town clerks, in all cases where an oath may be administered, except in a case where the law otherwise requires; (3) commissioners on insolvent estates, auditors, arbitrators and committees, to parties and witnesses, in all cases tried before them; (4) assessors and boards of assessment appeals, in cases coming before them; (5) commissioners appointed by governors of other states to take the acknowledgment of deeds, in the discharge of their official duty; (6) the moderator of a school district meeting, in such meeting, to the clerk of such district, as required by law; (7) the chief elected official of a municipality, in any matter before the chief elected official of a municipality; (8) the Chief Medical Examiner, Deputy Medical Examiner and assistant medical examiners of the Office of the Medical Examiner, in any matter before them; (9) registrars of vital statistics, in any matter before them; (10) any chief inspector or inspector appointed pursuant to section 51-286; (11) registrars of voters, deputy registrars, assistant registrars, and moderators, in any matter before them; (12) special assistant registrars, in matters provided for in subsections (b) and (c) of section 9-19b and section 9-19c; (13) the Commissioner of Emergency Services and Public Protection and any sworn member of any local police department or the Division of State Police within the Department of Emergency Services and Public Protection, in all affidavits, statements, depositions, complaints or reports made to or by any member of any local police department or said Division of State Police or any constable who is under the supervision of said commissioner or any of such officers of said Division of State Police and who is certified under the provisions of sections 7-294a to 7-294e, inclusive, and performs criminal law enforcement duties; (14) judge advocates of the United States Army, Navy, Air Force and Marine Corps, law specialists of the United States Coast Guard, adjutants, assistant adjutants, acting adjutants and personnel adjutants, commanding officers, executive officers and officers whose rank is lieutenant commander or major, or above, of the armed forces, as defined in section 27-103, to persons serving with or in the armed forces, as defined in said section, or their spouses; (15) investigators, deputy investigators, investigative aides, secretaries, clerical assistants, social workers, social worker trainees, paralegals and certified legal interns employed by or assigned to the Public Defender Services Commission in the performance of their assigned duties; (16) bail commissioners, intake, assessment and referral specialists, family relations counselors, support enforcement officers, chief probation officers and supervisory judicial marshals employed by the Judicial Department in the performance of

their assigned duties; (17) juvenile matter investigators employed by the Division of Criminal Justice in the performance of their assigned duties; (18) the chairperson of the Connecticut Siting Council or the chairperson's designee; (19) the presiding officer at an agency hearing under section 4-177b; (20) investigators employed by the Department of Social Services Office of Child Support Services, in the performance of their assigned duties; (21) the chairperson, vice-chairperson, members and employees of the Board of Pardons and Paroles, in the performance of their assigned duties; (22) the Commissioner of Correction or the commissioner's designee; (23) sworn law enforcement officers, appointed under section 26-5, within the Department of Energy and Environmental Protection, in all affidavits, statements, depositions, complaints or reports made to or by any such sworn law enforcement officer; (24) sworn motor vehicle inspectors acting under the authority of section 14-8; and (25) eligibility workers, specialists and supervisors employed by the Department of Social Services for the sole purpose of witnessing the execution of an affirmation or acknowledgment of parentage when their assigned duties include witnessing such execution.

[Sec. 1-25. Forms of oaths.](#)

Chapter 6* Uniform Acknowledgement Act

[Sec. 1-28. Permissible forms of acknowledgment.](#) Any instrument may be acknowledged in the manner and form now provided by other laws of this state, or as provided by this chapter.

[Sec. 1-29. Acknowledgments within state.](#) The acknowledgment of any instrument may be made in this state before: (1) A judge of a court of record or a family support magistrate; (2) a clerk or deputy clerk of a court having a seal; (3) a town clerk; (4) a notary public; (5) a justice of the peace; or (6) an attorney admitted to the bar of this state.

[Sec. 1-30. Acknowledgments in other states, territories or possessions.](#) The acknowledgment of any instrument may be made without the state but within the United States or a territory or insular possession of the United States and within the jurisdiction of the officer, before: (1) A clerk or deputy clerk of any federal court; (2) a clerk or deputy clerk of any court of record of any state or other jurisdiction; (3) a notary public; (4) a commissioner of deeds; (5) any person authorized by the laws of such other jurisdiction to take acknowledgments; (6) any attorney admitted to the bar in this state as provided in section 1-31a.

[Sec. 1-31. Acknowledgments without United States.](#) The acknowledgment of any instrument may be made without the United States before: (1) An ambassador, minister, charge d'affaires, counselor to or secretary of a legation, consul general, consul, vice-consul, commercial attache, or consular agent of the United States accredited to the country where the acknowledgment is made; (2) a notary public of the country where the acknowledgment is made; (3) a judge or clerk of a court of record of the country where the acknowledgment is made; (4) any attorney admitted to the bar in this state as provided in section 1-31a.

[Sec. 1-31a. Acknowledgments by attorney outside state.](#) An acknowledgment of any instrument pertaining to real property located in this state or a power of attorney may be made outside the state before an attorney admitted to the bar in this state.

[Sec. 1-32. Identification of person making acknowledgment.](#) The officer taking the acknowledgment shall know or have satisfactory evidence that the person making the acknowledgment is the person described in and who executed the instrument.

Sec. 1-33. Married women. An acknowledgment of a married woman may be made in the same form as though she were unmarried.

Sec. 1-34. Certificate of officer. An officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in one of the following forms:

(1) By individuals:

State of

County of

On this the day of, 20.., before me,, the undersigned officer, personally appeared, known to me (or satisfactorily proven) to be the person whose name subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand.

.....Title of Officer.

(2) By a corporation:

State of

County of

On this the day of, 20.., before me,, the undersigned officer, personally appeared who acknowledged himself to be the of, a corporation, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as

In witness whereof I hereunto set my hand.

.....Title of Officer.

(3) By an attorney in fact:

State of

County of

On this the day of, 20.., before me,, the undersigned officer, personally appeared, known to me (or satisfactorily proven) to be the person whose name is subscribed as attorney in fact for, and acknowledged that he executed the same as the act of his principal for the purposes therein contained.

In witness whereof I hereunto set my hand.

.....Title of Officer.

(4) By any public officer or deputy thereof, or by any trustee, administrator, guardian, or executor:

State of

County of

On this the day of, 20.., before me,, the undersigned officer, personally appeared, of the State (County or City as the case may be) of, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof I hereunto set my hand.

.....Title of Officer.

(5) By a limited liability company:

State of

County of

On this the day of, 20.., before me,, the undersigned officer, personally appeared who acknowledged himself to be the of, a (member managed or manager managed) limited liability company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as

In witness whereof I hereunto set my hand.

....Title of Officer.

(6) By a registered limited liability partnership:

State of

County of

On this the day of, 20..., before me,, the undersigned officer, personally appeared who acknowledged himself to be the of, a registered limited liability partnership, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the registered limited liability partnership by himself as

In witness whereof I hereunto set my hand.

.....
Title of Officer.

Sec. 1-35. Identification of acknowledging officer. The certificate of the acknowledging officer shall be completed by his signature, his official seal if he has one, the title of his office and, if he is a notary public, the date his commission expires.

Sec. 1-36. Authentication. (1) If the acknowledgment is taken within this state or is made without the United States by an officer of the United States no authentication shall be necessary.

(2) If the acknowledgment is taken without this state, but in the United States, or a territory or insular possession of the United States, the certificate shall be authenticated by a certificate as to the official character of such officer, executed, if the acknowledgment is taken by a clerk or deputy clerk of a court, by the presiding judge of the court or, if the acknowledgment is taken by a notary public, or any other person authorized to take acknowledgments, by a clerk of a court of record of the county, parish or district, or the clerk of the town, in which the acknowledgment is taken. The signature to such authenticating certificate may be a facsimile printed, stamped, photographed or engraved thereon when the certificate bears the seal of the authenticating officer. A judge or clerk authenticating an acknowledgment shall endorse thereon or attach thereto a certificate in substantially the following form:

State of

County of

I (judge or clerk) of the in and for said county, which court is a court of record, having a seal, (or I, clerk of the town of in said county,) do hereby certify that by and before whom the foregoing (or annexed) acknowledgment was taken, was at the time of taking the same a notary public (or other officer) residing (or authorized to act) in said county, and was authorized by the laws of said state to take and certify acknowledgments in said state, and, further, that I am acquainted with his handwriting and that I believe that the signature to the certificate of acknowledgment is genuine.

In testimony whereof I have hereunto set my hand and affixed the seal of the court this day of, 20...

(3) If the acknowledgment is taken without the United States and by a notary public or a judge or clerk of a court of record of the country or the clerk of the town where the acknowledgment is taken, the certificate shall be authenticated by a certificate under the great seal of state of the country, affixed by the custodian of such seal, or by a certificate of a diplomatic, consular or commercial officer of the United States accredited to that country, certifying as to the official character of such officer. The officer authenticating an acknowledgment shall endorse thereon or attach thereto a certificate in substantially the form prescribed in subsection (2) of this section.

Sec. 1-37. Acknowledgment in compliance with law of other jurisdiction. Notwithstanding any provision in this chapter, the acknowledgment of any instrument without this state in compliance with the manner and form prescribed by the laws of the place of its execution, if in a state, a territory or insular possession of the United States, or in the District of Columbia, verified by the official seal of the officer before whom

it is acknowledged, and authenticated in the manner provided by subsection (2) of section 1-36, shall have the same effect as an acknowledgment in the manner and form prescribed by the laws of this state for instruments executed within the state.

Sec. 1-38. Acknowledgment of person in armed forces. In addition to the acknowledgment of instruments in the manner and form and as otherwise authorized by this chapter, persons serving in or with the armed forces of the United States or their dependents, wherever located, may acknowledge the same before any commissioned officer in active service of the armed forces of the United States with the rank of second lieutenant or higher in the Army, Air Force or Marine Corps, or ensign or higher in the Navy or Coast Guard. The instrument shall not be rendered invalid by the failure to state therein the place of execution or acknowledgment. No authentication of the officer's certificate of acknowledgment shall be required but the officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in the following form:

On this the day of, 20..., before me,, the undersigned officer, personally appeared (Serial No.) (if any), known to me (or satisfactorily proven) to be (serving in or with the armed forces of the United States) (a dependent of, (Serial No.) (if any), a person serving in or with the armed forces of the United States) and to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained. And the undersigned does further certify that he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the armed forces of the United States.

Sec. 1-39. Prior acknowledgments unaffected. No acknowledgment taken prior to October 1, 1961, shall be affected by anything contained in this chapter.

Sec. 1-40. Interpretation of chapter. This chapter shall be so interpreted as to make uniform the laws of those states which enact it.

Sec. 1-41. Short title: Uniform Acknowledgment Act. This chapter may be cited as the "Uniform Acknowledgment Act".

Chapter 8 Uniform Recognition of Acknowledgement Act

Sec. 1-57. Definitions. Authorized officers. For the purposes of this chapter, "notarial acts" means acts which the laws and regulations of this state authorize notaries public of this state to perform, including the administering of oaths and affirmations, taking proof of execution and acknowledgments of instruments, and attesting documents. Notarial acts may be performed outside this state for use in this state with the same effect as if performed by a notary public of this state by the following persons authorized pursuant to the laws and regulations of other governments in addition to any other person authorized by the laws and regulations of this state: (1) A notary public authorized to perform notarial acts in the place in which the act is performed; (2) a judge, clerk, or deputy clerk of any court of record in the place in which the notarial act is performed; (3) an officer of the foreign service of the United States, a consular agent, or any other person authorized by regulation of the United States Department of State to perform notarial acts in the place in which the act is performed; (4) a commissioned officer in active service with the armed forces of the United States and any other person authorized by regulation of the armed forces to perform notarial acts if the notarial act is performed for one of the following or his dependents: A merchant seaman of the United States, a member of the armed forces of the United States, or any other person serving with or accompanying the armed forces of the United States; or (5) any other person authorized to perform notarial acts in the place in which the act is performed.

[Sec. 1-58. Proof of authority to perform notarial act.](#) (a) If the notarial act is performed by any of the persons described in subdivisions (1) to (4), inclusive, of section 1-57, other than a person authorized to perform notarial acts by the laws or regulations of a foreign country, the signature, rank or title and serial number, if any, of the person are sufficient proof of the authority of a holder of that rank or title to perform the act. Further proof of his authority is not required.

(b) If the notarial act is performed by a person authorized by the laws or regulations of a foreign country to perform the act, there is sufficient proof of the authority of that person to act if: (1) A foreign service officer of the United States resident in the country in which the act is performed or a diplomatic or consular officer of the foreign country resident in the United States certifies that a person holding that office is authorized to perform the act; or (2) the official seal of the person performing the notarial act is affixed to the document; or (3) the title and indication of authority to perform notarial acts of the person appears either in a digest of foreign law or in a list customarily used as a source of such information.

(c) If the notarial act is performed by a person other than one described in subsections (a) and (b) of this section, there is sufficient proof of the authority of that person to act if the clerk of a court of record in the place in which the notarial act is performed certifies to the official character of that person and to his authority to perform the notarial act.

(d) The signature and title of the person performing the act are prima facie evidence that he is a person with the designated title and that the signature is genuine.

[Sec. 1-59. Certification by person taking acknowledgment.](#) The person taking an acknowledgment shall certify that: (1) The person acknowledging appeared before him and acknowledged he executed the instrument; and (2) the person acknowledging was known to the person taking the acknowledgment or that the person taking the acknowledgment had satisfactory evidence that the person acknowledging was the person described in and who executed the instrument.

[Sec. 1-60. Form of certificate.](#) The form of a certificate of acknowledgment used by a person whose authority is recognized under section 1-57 shall be accepted in this state if: (1) The certificate is in a form prescribed by the laws or regulations of this state; (2) the certificate is in a form prescribed by the laws or regulations applicable in the place in which the acknowledgment is taken; or (3) the certificate contains the words “acknowledged before me”, or their substantial equivalent.

[Sec. 1-61. “Acknowledged before me” defined.](#) The words “acknowledged before me” mean: (1) That the person acknowledging appeared before the person taking the acknowledgment; (2) that he acknowledged he executed the instrument; (3) that, in the case of: (A) A natural person, he executed the instrument for the purposes therein stated, (B) a corporation, the officer or agent acknowledged he held the position or title set forth in the instrument and certificate, he signed the instrument on behalf of the corporation by proper authority, and the instrument was the act of the corporation for the purpose therein stated, (C) a partnership, the partner or agent acknowledged he signed the instrument on behalf of the partnership by proper authority and he executed the instrument as the act of the partnership for the purposes therein stated, (D) a person acknowledging as principal by an attorney in fact, he executed the instrument by proper authority as the act of the principal for the purposes therein stated and (E) a person acknowledging as a public officer, trustee, administrator, guardian, or other representative, he signed the instrument by proper authority and he executed the instrument in the capacity and for the purposes therein stated; and (4) that the person taking the acknowledgment either knew or had satisfactory evidence that the person acknowledging was the person named in the instrument or certificate.

[Sec. 1-62. Statutory short forms of acknowledgment.](#) The forms of acknowledgment set forth in this section may be used and are sufficient for their respective purposes under any law of this state. The forms shall be known as “Statutory Short Forms of Acknowledgment” and may be referred to by that name. The authorization of the forms in this section does not preclude the use of other forms.

(1) For an individual acting in his own right:

State of

County of

The foregoing instrument was acknowledged before me this (date) by (name of person acknowledged).

(Signature of person taking acknowledgment)

(Title or rank)

(Serial number, if any)

(2) For a corporation:

State of

County of

The foregoing instrument was acknowledged before me this (date) by (name of officer or agent, title of officer or agent) of (name of corporation acknowledging) a (state or place of incorporation) corporation, on behalf of the corporation.

(Signature of person taking acknowledgment)

(Title or rank)

(Serial number, if any)

(3) For a partnership:

State of

County of

The foregoing instrument was acknowledged before me this (date) by (name of acknowledging partner or agent), partner (or agent) on behalf of (name of partnership), a partnership.

(Signature of person taking acknowledgment)

(Title or rank)

(Serial number, if any)

(4) For an individual acting as principal by an attorney in fact:

State of

County of

The foregoing instrument was acknowledged before me this (date) by (name of attorney in fact) as attorney in fact on behalf of (name of principal).

(Signature of person taking acknowledgment)

(Title or rank)

(Serial number, if any)

(5) By any public officer, trustee, or personal representative:

State of

County of

The foregoing instrument was acknowledged before me this (date) by (name and title of position).

(Signature of person taking acknowledgment)

(Title or rank)

(Serial number, if any)

(6) For a limited liability company:

State of

County of

The foregoing instrument was acknowledged before me this (date) by (name and capacity of acknowledging member or manager) on behalf of (name of limited liability company) a (member managed or manager managed) (state of organization) limited liability company, on behalf of the company.

(Signature of person taking acknowledgment)
 (Title or rank)
 (Serial number, if any)

(7) For a registered limited liability partnership:

State of

County of

The foregoing instrument was acknowledged before me this (date) by (name of acknowledging partner), partner (or agent) on behalf of (name of registered limited liability partnership) a (state or place of filing of certificate of registered limited liability partnership) registered limited liability partnership, on behalf of the registered limited liability partnership.

(Signature of person taking acknowledgment)
 (Title or rank)
 (Serial number, if any)

Sec. 1-63. Prior acts unaffected. Method additional. A notarial act performed prior to October 1, 1969, is not affected by this chapter. This chapter provides an additional method of proving notarial acts. Nothing in this chapter diminishes or invalidates the recognition accorded to notarial acts by other laws or regulations of this state.

Sec. 1-64. Uniform interpretation. This chapter shall be so interpreted as to make uniform the laws of those states which enact it.

Sec. 1-65. Short title: Uniform Recognition of Acknowledgments Act. This chapter may be cited as the "Uniform Recognition of Acknowledgments Act".

Chapter 33 Secretary

Sec. 3-94a. Notaries public. Definitions. The following terms, when used in sections 3-94a to 3-95, inclusive, shall have the following meanings unless the context otherwise requires:

(1) "Acknowledgment" means a notarial act in which a notary public certifies that a signatory, whose identity is personally known to the notary public or proven on the basis of satisfactory evidence, has admitted, in the notary public's presence, to having voluntarily signed a document for its stated purpose.

(2) "Copy certification" means a notarial act in which a notary public: (A) Is presented with an original document, (B) copies or supervises the copying of such document using a photographic or electronic copying process, (C) compares the original document presented to the copy, and (D) certifies that the copy is an accurate and complete reproduction of the original document presented, except that a notary public may not complete a copy certification if the original document presented is: (i) A vital record, as defined in section 7-36, (ii) a document that is required to be recorded by an agent or employee of the state or any political subdivision thereof, or (iii) issued by a federal agency and federal law prohibits the copying of such document.

(3) "Jurat" means a notarial act in which a notary public certifies that a signatory, whose identity is personally known to the notary public or proven on the basis of satisfactory evidence, has made, in the notary public's presence, a voluntary signature and taken an oath or affirmation vouching for the truthfulness of the signed document.

(4) "Notarial act" or "notarization" means any act that a notary public is empowered to perform under the general statutes and includes taking an acknowledgment, administering an oath or affirmation, witnessing or attesting a signature and completing a copy certification.

- (5) “Notarial certificate” or “certificate” means the part of, or attachment to, a notarized document to be completed and signed by the notary public.
- (6) “Notary public” or “notary” means any person appointed by the Secretary of the State to perform notarial acts.
- (7) “Oath” or “affirmation” means a notarial act or part thereof in which a notary public certifies that a person has made a vow in the presence of the notary public on penalty of perjury. In the case of an oath, the vow shall include reference to a Supreme Being unless an affirmation is administered as provided by section 1-23.
- (8) “Official misconduct” means (A) a notary public's performance of an act prohibited by the general statutes or failure to perform an act mandated by the general statutes, or (B) a notary public's performance of a notarial act in a manner found to be negligent, illegal or against the public interest.
- (9) “Personal knowledge of identity” means familiarity with an individual resulting from interaction with that individual over a period of time sufficient to eliminate any reasonable doubt that the individual has the identity claimed.
- (10) “Satisfactory evidence of identity” means identification of an individual based on (A) at least two current documents, one issued by a federal or state government and containing the individual's signature and either a photograph or physical description, and the other by an institution, business entity or state government or the federal government and containing at least the individual's signature, or (B) the oath or affirmation of a credible person who is personally known to the notary public and who personally knows the individual.
- (11) “Secretary” means the Secretary of the State.

[Sec. 3-94b. Appointment and qualifications of notary. Application fee. Certificate of appointment.](#)

(a) Except as provided in subsection (c) of this section, the Secretary of the State may appoint as a notary public any qualified person who submits an application in accordance with this section.

(b) In order to qualify for appointment as a notary public, a person shall:

- (1) Be eighteen years of age or older at the time of application;
- (2) (A) Be a resident of the state of Connecticut at the time of application and appointment, or (B) have one's principal place of business in the state at the time of application and appointment;
- (3) Pass a written examination approved or administered by the Secretary;
- (4) Submit an application, on a form prescribed and provided by the Secretary, which the applicant shall complete in the applicant's handwriting without misstatement or omission of fact. The application shall be accompanied by (A) a nonrefundable application fee of one hundred twenty dollars, and (B) the recommendation of an individual who has personally known the applicant for at least one year and is not legally related to the applicant.

(c) The Secretary may deny an application based on:

- (1) The applicant's conviction of a felony or a crime involving dishonesty or moral turpitude;
- (2) Revocation, suspension or restriction of a notary public appointment or professional license issued to the applicant by this state or any other state; or

(3) The applicant's official misconduct, whether or not any disciplinary action has resulted.

(d) Upon approval of an application for appointment as a notary public, the Secretary shall cause a certificate of appointment bearing a facsimile of the Secretary's signature and countersigned by the Secretary's executive assistant or an employee designated by the Secretary to be issued to such appointee.

(e) A notary public may obtain a replacement certificate of appointment by filing a written request with the Secretary, accompanied by a nonrefundable fee of five dollars.

Sec. 3-94c. Term of office of notary. Recording of certificate and oath. (a) A person appointed as a notary public by the Secretary of the State may exercise the functions of the office of notary public at any place within the state beginning on the date of such person's appointment and ending five years later on the last day of the month of appointment, unless (1) such appointment as a notary is suspended or terminated by the Secretary before the end of such term, (2) the notary resigns such appointment, or (3) the notary ceases to either be a resident of the state or have one's principal place of business in the state.

(b) The Secretary may, pursuant to regulations adopted in accordance with the provisions of chapter 54, extend or reduce, by not more than one year, the term of any person serving as a notary public on October 1, 1990, who seeks reappointment after such date, in order for the new term for each such notary to begin on the effective date of the notary's reappointment.

(c) Within thirty days after receiving a certificate of appointment from the Secretary, a notary public shall record, with the town clerk of the municipality in the state in which the notary resides, or, if the notary is not a resident of the state, with the town clerk of the municipality in the state in which the notary's principal place of business is located, such certificate and such notary's oath of office taken and subscribed to by the notary before some proper authority. Any notary public who is a resident of the state and whose principal place of business is in a municipality within the state other than the municipality in which the notary resides, may also record the notary's certificate of appointment and oath of office with the town clerk of such other municipality. Town clerks or assistant town clerks may certify to the authority and official acts of any notary public whose certificate of appointment and oath of office have been recorded in the books in their charge. The failure of a notary public to so record such certificate of appointment and oath of office shall not invalidate any notarial act performed by the notary after the date of such person's appointment as a notary public.

Sec. 3-94d. Reappointment of notary. A notary public may apply for reappointment on a form prescribed and provided by the Secretary, accompanied by a nonrefundable application fee of sixty dollars, and shall otherwise comply with all requirements for being appointed and serving as a notary public. Not later than ninety days before the expiration of the term of a notary public, the Secretary shall send the notary a notice of the expiration and a reappointment application form.

Sec. 3-94e. Appointment of certain state police officers as notaries. (a) The Secretary of the State may appoint as notaries public, in accordance with the provisions of sections 3-94a to 3-95, inclusive, any number of state police majors, captains, lieutenants and sergeants. The Secretary shall not charge any such person an application fee.

(b) A notary public appointed under this section shall exercise his authority as a notary public only in the administration of oaths and affirmations and the taking of acknowledgments as pertain to official police matters. In such cases the seal of the state police shall be the notarial seal and such notary public shall not charge a fee for such notary's services as a notary public.

(c) Upon terminating employment with the state police, a notary public appointed under this section shall immediately resign as a notary public, in writing. Such resignation shall be effective on the date of such termination of employment.

Sec. 3-94f. Prohibitions re lawful transactions. A notary public shall not unreasonably refuse to perform notarial acts in lawful transactions for any requesting person who tenders payment of the statutory fee.

Sec. 3-94g. Disqualification of notary. A notary public is disqualified from performing a notarial act if the notary is a signatory of the document that is to be notarized.

Sec. 3-94h. Prohibited acts. A notary public shall not (1) perform any official action with intent to deceive or defraud or (2) use the notary's title or seal in an endorsement or promotional statement for any product, service, contest or other offering.

Sec. 3-94i. Notary's signature. In completing a notarial act, a notary public shall sign on the notarial certificate only the notary's own name, as it appears on the notary's certificate of appointment.

Sec. 3-94j. Official notarial seal. (a) A notary public, except a state police major, captain, lieutenant or sergeant appointed as a notary public pursuant to section 3-94e, may keep and use an official notarial seal. Such seal shall not be used by any other person or surrendered to any employer upon termination of the notary's employment.

(b) A notary shall immediately destroy the notary's notarial seal upon resigning as a notary or upon the revocation, lapse or expiration of such person's appointment as a notary.

Sec. 3-94k. Notarial certificate. Notarial seal. Stamp. If a notary public utilizes a notarial seal, the notary shall, near the notary's official signature on a notarial certificate, affix an impression of the notarial seal, which shall include: (1) The notary's name exactly as it appears on the notary's certificate of appointment, (2) the words "Notary Public" and "Connecticut" and (3) the words "My commission expires (commission expiration date)", provided the notary may elect to have the words in subdivision (3) appear on a stamp instead of such seal. If the notary does not utilize a notarial seal or stamp, the words "Notary Public" and "My commission expires (commission expiration date)" shall be typed or printed legibly by the notary near the notary's official signature on a notarial certificate.

Sec. 3-94l. Liability. (a) A notary public shall be liable to any person for all damages proximately caused to that person by the notary's official misconduct.

(b) An employer of a notary shall be liable to any person for any damages proximately caused to that person by the notary's official misconduct related to the employer's business, if the employer directed, encouraged, consented to, ratified or approved the notary's official misconduct, either in the particular transaction or, implicitly, by previous actions in at least one similar transaction.

(c) An employer of a notary shall be liable to the notary for all damages recovered from the notary as a result of official misconduct that was coerced by threat of the employer, if the threat, such as a threat of demotion or dismissal, was made in reference to a particular notarial act, or, implicitly, by the employer's previous actions in at least one similar transaction. The employer shall also be liable to the notary for damages caused to the notary by demotion, dismissal or other action resulting from the notary's refusal to commit official misconduct.

Sec. 3-94m. Warning, reprimand, revocation, suspension, resignation. (a) The Secretary may deliver a written, official warning and reprimand to a notary, or may revoke or suspend a notary's appointment, as a result of such notary's official misconduct or on any ground for which an application for appointment as a notary may be denied, or for a violation of any provision of the general statutes.

(b) The termination or lapse of an appointment as a notary, regardless of reason, shall not stop or preclude any investigation into such notary's conduct by the Secretary, who may pursue any such investigation to a conclusion and issue any finding.

(c) Within thirty days after the resignation, revocation or suspension of a notary's certificate of appointment, the Secretary shall notify all town clerks within the state, in such manner as the Secretary shall determine, of such resignation, revocation or suspension. The town clerk of any municipality in which such notary's certificate of appointment or replacement certificate of appointment has been recorded shall note the resignation, revocation or suspension, and the effective date thereof, on the original record of such certificate or replacement certificate.

(d) The Secretary may adopt regulations in accordance with the provisions of chapter 54 specifying the processes and procedures used in the Secretary's determination to warn, reprimand, suspend or revoke a notary's commission.

Sec. 3-94n. Change of address of notary. Fee. Within thirty days after a change of residence address, a notary public who is a resident of the state shall file with the Secretary a signed, written notice which shall include both the old and new addresses. Within thirty days after a change of address of one's principal place of business, a notary public who is not a resident of the state shall file with the Secretary a signed, written notice which shall include both the old and new addresses. Such notice shall be accompanied by a nonrefundable fee of fifteen dollars. If the change of address is to a different municipality, the notary shall, within thirty days after issuance of a replacement certificate of appointment by the Secretary, record such certificate with the town clerk of the municipality in which the new address is located. The failure of a notary to so record such replacement certificate shall not invalidate any notarial act performed by the notary.

Sec. 3-94o. Change of name of notary. Fees. (a) Within thirty days after a change in the name of a notary public, the notary shall file a notice of the change with the Secretary, on a form prescribed and provided by the Secretary. The notice shall state the notary's old and new names and the effective date of the new name, include such proof of the change of name as the Secretary shall require, be signed by the notary and be accompanied by a nonrefundable fee of fifteen dollars. The notary shall, within thirty days after the issuance of a replacement certificate of appointment by the Secretary, record such certificate with the town clerk of the municipality wherein the notary recorded the notary's original certificate of appointment and oath of office. The failure of a notary to so record such replacement certificate shall not invalidate any notarial act performed by the notary. Any town clerk who is required by statute to make a record of the certificate of appointment and oath of office of a notary shall record the replacement certificate of appointment containing the change of name of the notary upon payment of a fee of fifteen dollars by such notary to the town clerk.

(b) Beginning on the date of issuance of such replacement certificate of appointment by the Secretary, the notary public shall (1) sign the notary's new name on all notarial certificates, and (2) if the notary uses a notarial seal, use only a notarial seal that contains the notary's new name.

Sec. 3-94p. Procedure for resignation of notary. (a) A notary public may resign as a notary by filing with the Secretary a signed, written notice of resignation which shall indicate the effective date of such resignation.

(b) A notary public who ceases to either reside within the state or have one's principal place of business in the state shall immediately resign as a notary in the manner provided in subsection (a) of this section.

Sec. 3-94q. Death of notary. As soon as possible after the death of a notary public, the notary's personal representative shall destroy the notary's official notarial seal, if any, and file a signed, written notice, with the Secretary of the State, indicating that the notary public has died and the date of death.

Sec. 3-95. Fees of notary. The fee for any act performed by a notary public in accordance with the provisions of the general statutes shall not exceed ten dollars plus an additional rate for each mile of travel not exceeding the business standard mileage rate determined by the Internal Revenue Service.

Sec. 3-95a. Prohibition re notary offering or providing legal advice in immigration matters. Use of title of notario or notario publico. (a) A notary public shall not offer or provide legal advice to any person in immigration matters or represent any person in immigration proceedings unless such notary public (1) has been admitted as an attorney under the provisions of section 51-80, or (2) is authorized pursuant to 8 CFR 292.2 to practice immigration law or represent persons in immigration proceedings.

(b) A notary public shall not assume, use or advertise the title of notario or notario publico, unless such notary public (1) has been admitted as an attorney under the provisions of section 51-80, or (2) indicates in any advertisement or otherwise provides written notice that such notary public is not licensed as an attorney in this state.

(c) Any notary public who violates any provision of this section shall have committed a violation of subsection (a) of section 51-88 and be subject to the penalties set forth in subsection (b) of section 51-88.

Sec. 3-95b. Requirements and procedure re use of remote notarization. Regulations. Prohibitions on use of remote acknowledgment for certain records. (a) As used in this section:

(1) "Communication technology" means an electronic device or process that:

(A) Allows a notary public and a remotely located individual to communicate with each other simultaneously by sight and sound; and

(B) When necessary and consistent with other applicable law, facilitates communication with a remotely located individual who has a vision, hearing or speech impairment.

(2) "Identity proofing" means a process or service by which a third person provides a notary public with a means to verify the identity of a remotely located individual by a review of personal information from public or private data sources.

(3) "Outside the United States" means a location outside the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands and any territory, insular possession or other location subject to the jurisdiction of the United States.

(4) "Remotely located individual" means an individual who is not in the physical presence of the notary public who performs a notarial act under subsection (c) of this section.

(b) Except as provided in subsection (i) of this section, a document may be notarized for an individual who is not in the physical presence of the notary public at the time of the notarization if the following requirements are met:

(1) The individual and the notary can communicate simultaneously, in real time, by sight and sound using communication technology; and

(2) When performing a remote notarization pursuant to the provisions of this section, the notary reasonably identifies the individual at the time of notarization by one or more of the following methods:

(A) Personal knowledge of the identity of the individual;

(B) The individual presents a government-issued identification document or record that has not expired and includes the individual's photograph, name and signature. An acceptable form of government-issued identification document or record includes, but is not limited to, a driver's license, government-issued identification card or passport;

(C) Not less than two different types of identity proofing processes or services by which a third person provides a means to verify the identity of the individual through a review of public or private data sources; or

(D) Oath or affirmation by a credible witness who:

(i) Is in the physical presence of either the notary or the individual; or

(ii) Is able to communicate in real time with the notary and the individual by sight and sound through an electronic device or process at the time of the notarization, if the credible witness has personal knowledge of the identity of the individual and has been reasonably identified by the notary by a method provided in this section.

(c) When an individual who is physically located outside of the state of Connecticut or outside the United States seeks a remote notarization pursuant to subsection (b) of this section, the record being notarized shall:

(1) Be intended for filing or presentation in a matter before a court, governmental entity, public official or other entity subject to the jurisdiction of the state of Connecticut;

(2) Involve property located in the territorial jurisdiction of the state of Connecticut or a transaction substantially connected to the state of Connecticut; or

(3) Otherwise not be prohibited by law of the state of Connecticut to be notarized outside the state.

(d) Once the record notarized pursuant to subsection (b) of this section is signed by the individual in accordance with the procedures set forth in this section, the individual shall mail or otherwise cause to be delivered the signed original copy of the record to the notary public for certification and execution with the notary's commission signature and official stamp or seal.

(e) The date and time of a notarization conducted pursuant to subsection (b) of this section shall be the date and time when the notary witnessed the signature being performed by means of communication technology.

(f) Nothing in this section shall affect the authority of a notary public to refuse to perform a notarial act or require a notary public to perform a notarization remotely:

(1) With respect to an electronic record;

(2) For an individual not in the physical presence of the notary; or

(3) Using a technology that the notary has not selected.

(g) The Secretary of the State may adopt regulations in accordance with the provisions of chapter 54 regarding the performance of a notarial act pursuant to this section. Such regulations may:

- (1) Prescribe the means of performing a notarial act involving a remotely located individual using communication technology;
 - (2) Establish standards for communication technology and identity proofing; or
 - (3) Establish requirements or procedures to approve providers of communication technology and the process of identity proofing.
- (h) Prior to adopting or amending regulations governing the performance of a notarial act with respect to a remotely located individual, the Secretary of the State shall consider:
- (1) The most recent standards regarding the performance of a notarial act with respect to a remotely located individual promulgated by national standard-setting organizations and the recommendations of the National Association of Secretaries of State;
 - (2) Standards, practices and customs of other jurisdictions that have laws substantially similar to this section; and
 - (3) The views of governmental officials and entities and other interested persons.
- (i) No record shall be acknowledged remotely pursuant to subsection (b) of this section in (1) the making and execution of a will, codicil, trust or trust instrument, (2) the execution of health care instructions pursuant to section 19a-575a, (3) the execution of a designation of a standby guardian pursuant to section 45a-624, (4) the execution of a designation of a person for decision-making and certain rights and obligations pursuant to section 1-56r, (5) the execution of a living will, as defined in section 19a-570, (6) the execution of a power of attorney, as defined in section 1-350a, (7) the execution of a self-proving affidavit for an appointment of health care representative or for a living will under sections 1-56r and 19a-578, (8) the execution of a mutual distribution agreement under section 45a-433, (9) the execution of an agreement as to the division of an estate under section 45a-434, (10) the execution of a disclaimer under section 45a-479 or 45a-583, or (11) a real estate closing, as defined in section 51-88a. The performance of any such acknowledgment in connection with any of the acts described in this subsection shall be ineffective for any purpose and shall constitute a violation of section 51-88.

APPENDIX C

Additional Connecticut General Statutes Related to Notaries Public

- ✓ [Sec. 7-33a. Issuance of certificates of authority of justices of peace, notaries and Superior Court commissioners.](#)
- ✓ [Sec. 7-34. Fees.](#)
- ✓ [Sec. 45a-251. \(Formerly Sec. 45-161\). Making and execution of wills. Wills executed outside the state.](#)
- ✓ [Sec. 47-5a. Persons before whom acknowledgment may be made.](#)
- ✓ [Sec. 51-88a. Practice of law by persons not admitted as attorneys. Real estate closings.](#)
- ✓ [Sec. 52-148a. Taking of depositions. When court order necessary.](#)
- ✓ [Sec. 52-148b. Notice of taking of deposition.](#)
- ✓ [Sec. 52-148c. Before whom depositions may be taken.](#)
- ✓ [Sec. 52-148d. Requirements for taking of depositions. Party subject to taking of deposition.](#)
- ✓ [Sec. 52-148e. Issuance of subpoena for taking of deposition. Deposition to be used in federal court or court of other state or foreign country. Objection to subpoena.](#)
- ✓ [Sec. 52-262. Fees for signing process, administering oaths, acknowledgments.](#)
- ✓ [Sec. 53-368. Falsely certifying as to administration of oath.](#)
- ✓ [Sec. 53a-156. Perjury: Class D felony.](#)
- ✓ [Sec. 53a-157a. False statement on a certified payroll: Class D felony.](#)
- ✓ [Sec. 53a-157b. \(Formerly Sec. 53a-157\). False statement: Class A misdemeanor.](#)

Contact Us

The Office of the Secretary of the State

As the appointing agent, the Secretary of the State has authority over notaries public in the State of Connecticut. Any individual who needs to communicate with this office regarding notaries and the duties and responsibilities of notaries in this state, should contact us:

Email: Business Services Division at bsd@ct.gov

Phone: (860) 509-6002

Address:

Office of the Secretary of the State
P.O. Box 150470
Hartford CT 06115-0470
Attention: Notary Public Unit