

9B.15 Certificate of notarial act.

1. A notarial act must be evidenced by a certificate. The certificate must meet all of the following requirements:

- a. Be executed contemporaneously with the performance of the notarial act.
- b. Be signed and dated by the notarial officer and, if the notarial officer is a notary public, be signed in the same manner as on file with the secretary of state.
- c. Identify the jurisdiction in which the notarial act is performed.
- d. Contain the title of office of the notarial officer.
- e. If the notarial officer is a notary public, indicate the date of expiration, if any, of the notarial officer's commission.

2. If a notarial act regarding a tangible record is performed by a notary public, an official stamp must be affixed to or embossed on the certificate. If a notarial act is performed regarding a tangible record by a notarial officer other than a notary public and the certificate contains the information specified in subsection 1, paragraphs "b", "c", and "d", an official stamp may be affixed to or embossed on the certificate. If a notarial act regarding an electronic record is performed by a notarial officer and the certificate contains the information specified in subsection 1, paragraphs "b", "c", and "d", an official stamp may be attached to or logically associated with the certificate.

3. A certificate of a notarial act is sufficient if it meets the requirements of subsections 1 and 2 and all of the following apply:

- a. It is in a short form set forth in section 9B.16.
- b. It is in a form otherwise permitted by the law of this state.
- c. It is in a form permitted by the law applicable in the jurisdiction in which the notarial act is performed.
- d. It sets forth the actions of the notarial officer and the actions are sufficient to meet the requirements of the notarial act as provided in sections 9B.5, 9B.6, and 9B.7, or a law of this state other than this chapter.

4. By executing a certificate of a notarial act, a notarial officer certifies that the notarial officer has complied with the requirements and made the determinations specified in sections 9B.4, 9B.5, and 9B.6.

5. A notarial officer shall not affix the notarial officer's signature to, or logically associate it with, a certificate until the notarial act has been performed.

6. If a notarial act is performed regarding a tangible record, a certificate must be part of, or securely attached to, the record. If a notarial act is performed regarding an electronic record, the certificate must be affixed to, or logically associated with, the electronic record. If the secretary of state has established standards pursuant to section 9B.27 for attaching, affixing, or logically associating the certificate, the process must conform to the standards.

2012 Acts, ch 1050, §14, 60

Referred to in §9B.16

[T] Section takes effect January 1, 2013; 2012 Acts, ch 1050, §60

[T] NEW section