

**9B.20 Notification regarding performance of notarial act on electronic record — selection of technology.**

1. A notary public may select one or more tamper-evident technologies to perform notarial acts with respect to electronic records. A person shall not require a notary public to perform a notarial act with respect to an electronic record with a technology that the notary public has not selected.

2. Before a notary public performs the notary public's initial notarial act with respect to an electronic record, a notary public shall notify the secretary of state that the notary public will be performing notarial acts with respect to electronic records and identify the technology the notary public intends to use. If the secretary of state has established standards for approval of technology pursuant to [section 9B.27](#), the technology must conform to the standards. If the technology conforms to the standards, the secretary of state shall approve the use of the technology.

3. The office of the recorder of a county in which real estate is located may accept for recording a tangible copy of an electronic record of an instrument affecting real property, if the electronic record is evidenced by a certificate of a notarial act pursuant to [section 9B.15](#).

[2012 Acts, ch 1050, §18, 60; 2019 Acts, ch 44, §9, 11](#)

2019 enactment of subsection 3 is effective July 1, 2020; 2019 Acts, ch 44, §11  
NEW subsection 3