

---

## Remote Online Notarization Across State Lines: A Growing Framework of Recognition

Authored by James Denvil and Pat Bruny in collaboration with DocuSign

*When you think of the notarization process, you may think of it as an inconvenient, in-person process that adds delays. **Remote Online Notarization (RON)** is changing that. RON leverages secure identity verification, electronic signatures, and real-time audio-visual communication tools to enable notaries public and those needing their services to meet remotely and complete notarizations digitally.*

*Although the US has not yet adopted a national framework for RON, nearly every U.S. state has enacted laws supporting it. And courts reviewing the legitimacy of RON have consistently upheld its validity when RON is performed in accordance with applicable state law. All signs point to further legal support for RON.*

*This article outlines the current legal landscape of RON in the U.S., explains why properly conducted remote notarizations are widely recognized across state lines, and provides guidance on how businesses and individuals can confidently rely on RON.*

---

### What Can I Notarize Using RON?

In most states that have adopted RON, you can use RON to notarize any document that you could notarize in person.<sup>1</sup> If a notary follows their state's RON procedures and notarizes a document online, that notarization is valid and generally will be accepted in all 50 states.

If a state explicitly prohibits a specific type of document from being notarized online, that restriction applies regardless of where the notary is located. For example, someone in Massachusetts cannot circumvent local restrictions by using a notary from another state to notarize a will remotely.

But where both the notary's and the signer's states allow RON for a particular document type, the notarization will be legally recognized in both jurisdictions—provided the notary complies with their commissioning state's rules.

---

### Widespread Legislative Support for RON

Nearly every U.S. state has enacted laws supporting RON. As of today, **48 states and the District of Columbia** have enacted laws permitting RON, and many have established regulations to standardize its implementation.<sup>2</sup>

---

<sup>1</sup> There are some exceptions—for instance, Massachusetts does not permit RON for wills and trusts. Boston Notary Service, Remote Online Notarization Massachusetts?, <https://bostonnotaryservice.us/blog/remote-online-notarization-massachusetts#:~:text=Most%20documents%20that%20require%20notarization%20can%20be%20notarized,documents%20that%20can%20and%20cannot%20be%20notarized%20remotely> (last accessed February 11, 2025).

<sup>2</sup> Georgia and South Carolina currently do not have remote online notarization laws in place. Both states, however, recognize online notarizations legally performed by notaries from other states.

A significant milestone came recently when California passed legislation authorizing RON. While California's implementation of the law will roll out in phases<sup>3</sup>—expected to be fully operational by 2030—this move signals a major shift, particularly as California joins other large states in embracing digital notarization.

This growing body of state laws reflects the increasing support of RON as a valid form of notarization.

---

### What Is Driving Interstate Recognition of RON?

The core principles of notarization—verifying identity, witnessing document execution, and ensuring the signing is voluntary—have remained largely unchanged for centuries. What RON introduces is greater efficiency, security, and accessibility through encrypted digital platforms, identity verification tools, and audit trails. With these innovative technologies, RON supports identity verification, witnessing, and personal communications remotely. At a fundamental level, the only difference between RON and in-person notarization, is that RON leverages commonly used digital tools to allow physically separate parties to convene in a digital environment.

As with traditional notarizations, states generally recognize notarizations performed in accordance with another state's laws. This means that when a **RON transaction complies with the laws of the notary's commissioning state, it likely will be recognized anywhere in the U.S., regardless of where the signer is located.**

One reason for RON's cross-state recognition is **procedural neutrality**—i.e., states generally do not impose their own notarization procedures on out-of-state notaries. Instead, a notary must comply only with the laws of their commissioning state.

This principle is essential because notaries operate as state-commissioned public officials.<sup>4</sup> They are bound by their own state's laws and do not have the authority to apply another state's notarial requirements. Courts have consistently upheld this principle, which forms the bedrock of interstate recognition laws today.<sup>5</sup>

---

### Legal and Constitutional Support for Cross-State RON Recognition

State and federal laws provide a solid foundation for the cross-state recognition of RON transactions:

- 1. Longstanding Precedent for Recognizing Out-of-State Notarial Acts**

---

<sup>3</sup> Calif. Civil. Code §1181.1(b).

<sup>4</sup> Michael Closen, **The Public Official Role of the Notary**, 31 J. Marshall. Law Rev. 651 (1998); Michael Closen, **Notaries Public — Lost in Cyberspace or Key Business Professionals of the Future?**, 15 John Marshall Journal of Infor. Tech. & Privacy Law 703 (1997).

<sup>5</sup> See, e.g. **Era v. Morton Cmty. Bank**, 8 F.Supp.3d 66 (D.R.I. 2014); 71; **State v. Davis**, 700 S.E.2d 85, 89 (N.C. App., 2010); **Otani v. District Court in and for Twenty-First Judicial Dist.**, 662 P.2d 1088, 1090 (Colo. 1983). See also **Pierce v. Indseth**, 106 U.S 546 (1883).

- o Legal principles supporting the recognition of notarizations performed in another state predate the digital era.
- o Most states have explicit statutes affirming that RON transactions conducted in compliance with another state's laws are valid.<sup>6</sup>
- o There is unchallenged legal precedent that RON acts performed in compliance with the requirements of the notary's state will be afforded interstate recognition by any state so long as the notarization was validly performed and of a type recognized by that state.<sup>7</sup>

## 2. Uniform and Model Acts Supporting Recognition

---

<sup>6</sup> Ala. Code 1975 § 35-4-26 (recognizes out-of-state acknowledgments related to conveyances and the creation of estates); Alaska Stat. §§ 09.63.050 (recognizes all out-of-state notarial acts), 09.63.080 (requirements for out-of-state acknowledgments); Ariz. Rev. Stat. Ann. §§ 33-501 (recognizes all out-of-state notarial acts related to conveyances and deeds), 33-504 (requirements for out-of-state acknowledgments related to conveyances and deeds); Ark. Code Ann. §§ 16-47-103(a)(2) (recognizes out-of-state acknowledgments regarding real estate conveyances), 16-47-203 (recognizes out-of-state acknowledgments); Cal. Civ. Code §§ 1182, 1189(b) (recognizes out-of-state acknowledgments for recordation); Colo. Rev. Stat. § 24-21-511 (recognizes all out-of-state notarial acts); Conn. Gen. Stat. Ann. §§ 1-30, 1-57, § 1-60 (recognizes all out-of-state notarial acts); Del. Code Ann. tit. 29 § 4324 (recognizes all out-of-state notarial acts); D.C. Code Ann. § 1-1231.10 (recognizes all out-of-state notarial acts); Fla. Stat. Ann. § 92.50(2) (recognizes out-of-state oaths, affidavits, and acknowledgments); Ga. Code Ann. § 44-2-21 (recognizes out-of-state acknowledgments related to recordation of deeds and other real property transactions); Haw. Rev. Stat. § 502-45 (recognizes out-of-state acknowledgments for recordation); Idaho Code § 51-111 (recognizes all out-of-state notarial acts); 765 ILCS 30/2 (recognizes all out-of-state notarial acts related to real property), 30/5 (requirements for out-of-state acknowledgments related to real property); Ind. Code Ann. § 32-21-2-5 (recognizes out-of-state acknowledgments regarding conveyance of real property); Iowa Code Ann. § 9B.11 (recognizes all out-of-state notarial acts); Kan. Stat. Ann. § 53-505 (recognizes all out-of-state notarial acts); Ky. Rev. Stat. Ann. §§ 423.345 (recognizes all out-of-state notarial acts), 423.110 (recognizes all out-of-state notarial acts), 423.140 (requirements for out-of-state acknowledgments); La. Rev. Stat. Ann. § 35:6 (recognizes all out-of-state notarial acts performed in front of two witnesses except those performed by remote online notarization); Me. Rev. Stat. Ann. tit. 4, §§ 1011 (recognizes all out-of-state notarial acts), 1014 (requirements for out-of-state acknowledgments); MD Code, State Government § 18-210 (recognizes all out-of-state notarial acts); Mass. Gen. Laws Ann. ch. 183, § 30(b) (recognizing out-of-state acknowledgments related to deeds or other instruments required to be acknowledged by grantors); Mich. Comp. Laws § 55.285a(1) (recognizes all out-of-state notarial acts); Minn. Stat. Ann. § 358.61 (recognizes all out-of-state notarial acts); Miss. Code Ann. §§ 89-3-9 (recognizes out-of-state acknowledgments related to conveyance of lands or personal property)[Note: Act has been repealed effective July 1, 2021] [Effective July 1, 2021 – H.B. 1156, sec. 12 recognizes all out-of-state notarial acts; no statutory provision yet assigned]; Mo. Ann. Stat. § 442.150 (recognizes out-of-state acknowledgments related to conveyances of real property); Mont. Code Ann. § 1-5-605 (recognizes all out-of-state notarial acts); Nev. Rev. Stat. Ann. § 240.164 (recognizes all out-of-state notarial acts); N.H. Rev. Stat. Ann. § 456-B:4 (recognizes all out-of-state notarial acts); N.J. Stat. Ann. §§ 46:14-6.1 (recognizes out-of-state acknowledgments related to property), 41:2-17 (recognizes out-of-state oaths, affirmations, or affidavits related to suit or legal proceeding in New Jersey); N.M. Stat. Ann. § 14-14-4 (recognizes all out-of-state notarial acts); N.Y. Real Prop. Law §§ 299, 299-a (recognizes out-of-state acknowledgments related to conveyance of real property); N.Y. Civ. Prac. L.R. § 2309 (recognizes out-of-state oaths or affirmations if accompanied by certificate as would be required to entitle a deed to be recorded); N.C. Gen. Stat. § 47-2 (recognizes all out-of-state acknowledgments related to the execution of instruments permitted or required by law to be registered); N.D. Cent. Code § 44-06.1-10 (recognizes all out-of-state notarial acts); Ohio Rev. Code Ann. §§ 147.51 (recognizes all out-of-state notarial acts), 147.54 (requirements for out-of-state acknowledgments); 49 Okla. St. § 115 (recognizes all out-of-state notarial acts); Or. Rev. Stat. § 194.260 (recognizes all out-of-state notarial acts); 57 Pa.C.S.A. § 311 (recognizes all out-of-state notarial acts); R.I. Gen. Laws § 34-12-1, 34-12-2(2) (recognizes all out-of-state acknowledgments related to instruments required to be acknowledged); S.C. Code Ann. §§ 26-3-20 (recognizes all out-of-state notarial acts), 26-3-50 (requirements for out-of-state acknowledgments); S.D. Codified Laws §§ 18-5-3, 18-5-15 (recognizes all out-of-state acknowledgments); Tenn. Code Ann. §§ 66-22-103 (recognizes all out-of-state acknowledgments related to instruments), 66-22-115 (requirements for out-of-state acknowledgments related to instruments); VTCA, Civil Practice & Remedies Code § 121.001(b) (recognizes all out-of-state acknowledgments or proofs of a written instrument); Utah Code Ann. § 57-2a-3(2) (recognizes all out-of-state notarial acts related to real estate); Vt. Stat. Ann. tit. 26 § 5374 (recognizes all out-of-state notarial acts); Va. Code Ann. § 55-118.1 (recognizes all out-of-state notarial acts related to recordation of documents); Wash. Rev. Code Ann. § 42.45.090 (recognizes all out-of-state notarial acts); W.V. Code § 39-4-11 (recognizes all out-of-state notarial acts); Wis. Stat. Ann. § 140.11 (recognizes all out-of-state notarial acts); Wyo. Stat. Ann. § 34-26-104 (recognizes all out-of-state notarial acts related to property, conveyances, and security transactions).

<sup>7</sup> See, e.g., *Nicholson et al. v. Eureka Lumber Co.*, 75 S.E. 730, 731 (N.C. 1912) (Conc. Stmt. Clark)

- o Since 1894, various **Uniform and Model Acts** have reinforced the principle that states should recognize notarizations performed elsewhere.<sup>8</sup>
- o 39 states have adopted one or more of these acts, ensuring consistency in notarial recognition across jurisdictions.<sup>9</sup>

### 3. Recent Changes in Previously Restrictive States

- o **New York** and **California**, which historically imposed additional requirements or restrictions on out-of-state notarizations, have recently enacted laws removing those barriers.
- o In New York, a 2024 law eliminated the need for a “certificate of conformity,” simplifying the process for recognizing RON transactions from other states.<sup>10</sup>
- o California’s new law similarly affirms recognition of RON transactions conducted by out-of-state notaries.<sup>11</sup>

### 4. Potential for Federal Standardization

- o In 2023, Congress introduced the Securing and Enabling Commerce Using Remote and Electronic Notarization Act of 2023 (“SECURE Notarization Act”) to establish nationwide standards for remote online notarization. The bill sought to require U.S. courts and states to recognize remote notarizations that occur in or affect interstate commerce and are performed by a notary public commissioned under the laws of other states.
- o While the SECURE Notarization Act has not been passed by the Senate, bipartisan support for the bill illustrates growing support for establishing a federally recognized framework for remote online notarizations across all states.

---

## Judicial Backing for RON Recognition

Courts have repeatedly reinforced the principle that if a notarization is validly performed under the notary’s state law, it will be recognized in other states.<sup>12</sup> This principle was first established in the landmark

---

<sup>8</sup> Including the Uniform Acknowledgments Act (1892); the replacement Uniform Acknowledgments Act (1939) (rendering the notarial seal self-authenticating); the Uniform Recognition of Acknowledgments Act (“URAA”) (1968) (extending self authentication to all notarial acts); the Uniform Law on Notarial Acts (“ULONA”) (1982) (establishing uniform provisions for the regulation of notarial acts); and the Revised Uniform Law on Notarial Acts (2010) (“RULONA”) (supporting electronic notarizations).

<sup>9</sup> See Nat’l Notary Assoc., *The Enduring Benefits of Interstate Recognition of Notarial Act Laws 7* (2021), available at <https://www.nationalnotary.org/file%20library/nna/knowledge%20center/special%20reports/interstate-recognition-white-paper-2021.pdf>.

<sup>10</sup> New York Consolidated Laws, Real Property Law - RPP § 299.

<sup>11</sup> Calif. Gov. Code Title 2, Div. 1, Chp. 3, Article 3.

<sup>12</sup> See generally, RULONA; UAA; URAA; ULONA; **Vanslebrouck ex rel. Vanslebrouck v. Halperin**, 277 Mich. App. 558, 565, 747 N.W.2d 311, 315 (2008) (out-of-state notarial acts performed by a notary public who is authorized to perform notarial acts has the same effect as if in-state notary public performed the act); **Apsey v. Memorial Hosp.**, 730 N.W.2d 695 (Mich. 2007) (uniform statute providing for recognition and acceptance of out-of-state notarial act provided a valid, non-conditional means of accepting other states’ duly performed notarial acts).

case of **Nicholson et al. v. Eureka Lumber Co.**, where the North Carolina Supreme Court rejected a challenge to the validity of a Texas notarial act. The Court noted that when a notary is entrusted “by the state of Texas with a notarial seal and having acted and professed to act in that state as a notary public, it will be assumed that she was rightfully appointed to that office, and that she acted rightfully in taking this probate, until the contrary is made to appear.”<sup>13</sup> Many states have enacted statutes adopting the ruling set out in **Eureka**, upholding the validity of out-of-state notarial acts, provided they comply with the laws of the state where the notarization occurred.<sup>14</sup>

Other courts addressing the validity of out-of-state notarizations have generally recognized the following principles:

- o A notary is a public official of his or her own commissioning state,<sup>15</sup> and must comply with his or her own state’s law in performing a notarial act.<sup>16</sup>
- o A notary lacks the authority to carry out notarial acts governed by the laws of a state other than the one in which they are commissioned.<sup>17</sup>
- o The validity of a notarial act is determined by the law of the state in which the notary is commissioned.<sup>18</sup>
- o Differences between the notarial laws of a notary’s commissioning state and those of the state where the notarized document is received—even when those differences reflect significant policy variations—do not render the notarization invalid or flawed, provided the notary adhered to the legal requirements of their commissioning state.<sup>19</sup>

As is evident from the above, courts generally respect the validity of notarial acts conducted properly in the state in which the notary is commissioned. Thus, if a RON is conducted in accordance with the law of a notary’s commissioning state, it likely will be seen as valid, even if the required procedures in the notary’s state differ from the requirements of other states.

---

## Constitutional Support for RON Recognition

---

<sup>13</sup> **Nicholson et al. v. Eureka Lumber Co.**, 75 S.E. 730, 731 (N.C. 1912) (Conc. Stmt. Clark).

<sup>14</sup> See, e.g., AZ Rev. Stat § 33-501 (2021); see also AS Code 09.63.050 (2005).

<sup>15</sup> See, e.g., **Rhody v. Rhody**, No. M201901150COAR3CV, 2020 WL 1891177, at \*5 (Tenn. Ct. App. Apr. 16, 2020) (“A notary is a public official of the state of Tennessee and one of the individuals empowered to take oaths and acknowledgments”); **NationsBank of N. Carolina, N.A. v. Parker**, 140 N.C. App. 106 (N.C. Ct. App. 2000) (“In North Carolina a notary public is a public officer.”); **In re Gray**, 410 B.R. 270 (Bankr. S.D. Ohio 2009) (same); **In re Estate of Alfaro**, 301 Ill.App.3d 500 (2d Dist. 1998) (same).

<sup>16</sup> See, e.g., **Tennessee Notary Public Handbook** (2006 ed.) at 1 (“A notary public is a public official whose powers and duties are defined by statute.”); **Era v. Morton Cmty. Bank**, 8 F.Supp.3d 66 (D.R.I. 2014); **State v. Davis**, 700 S.E.2d 85 (N.C. App., 2010); **Otani v. Dist. Ct. in and for Twenty-First Judicial Dist.**, 662 P.2d 1088 (Colo. 1983).

<sup>17</sup> See, e.g., **In re Interest of Fedalina G.**, 272 Neb. 314 (Neb. 2006) (“[T]he power of a notary to perform notarial functions is limited to the jurisdiction in which the commission issued.”); **State v. Haase**, 530 N.W.2d 617 (Neb. 1995) (Iowa notary could not legally notarize in Nebraska, a state in which he was not commissioned as a notary).

<sup>18</sup> See, e.g., **Bradley v. Bradley**, 164 P.3d 357 (Utah 2007); **State ex rel. Albemarle Child Support Enf’t Agency, ex rel. Johnson v. Eason**, 198 N.C. App. 138, 141 (N.C. Ct. App. 2009).

<sup>19</sup> See, e.g., **Bradley v. Bradley**, 164 P.3d 357 (Utah 2007); **State ex rel. Albemarle Child Support Enf’t Agency, ex rel. Johnson v. Eason**, 198 N.C. App. 138, 141 (N.C. Ct. App. 2009); **Rumph v. Lester Land Co.**, 205 Ark. 1147 (Ark. 1943); **Jorgensen v. Crandell**, 134 Neb. 33 (Neb. 1938).

The U.S. Constitution provides a strong foundation for the interstate recognition of notarized documents, primarily through the **Full Faith and Credit Clause** and the **Commerce Clause**. These provisions help ensure consistency in legal transactions across state lines and reinforce the validity of remote online notarizations.

Article IV, Section 1 of the Constitution—commonly known as the Full Faith and Credit Clause—requires that each state recognize and uphold the public acts, records, and judicial proceedings of every other state. Notaries, as state-commissioned public officials, fall under this provision, meaning that a properly performed notarization in one state should be honored in all others.<sup>20</sup> In fact, as early as 1750, the phrase “full faith and credit” was used in reference to notarial acts, emphasizing their long-standing recognition across jurisdictions.<sup>21</sup> Courts have upheld this principle for well over a century, affirming that states must recognize valid notarizations performed in accordance with another state’s laws.

Some may argue that the Public Policy Exception to the Full Faith and Credit Clause could allow a state to reject an out-of-state notarization based on its own legal preferences. However, this exception only applies when there is a clear conflict between state laws.<sup>22</sup> In the case of RON, no such conflict exists—rather, the differences in state requirements simply reflect variations in procedure, not a fundamental incompatibility of law. As a result, the Public Policy Exception is unlikely to apply, further strengthening the case for cross-state recognition of RON.

By requiring states to recognize each other’s legal documents and notarial acts, the Constitution provides a strong and lasting framework for the continued expansion of RON. As adoption grows and legal precedent solidifies, it is increasingly clear that RON transactions conducted in compliance with state laws will continue to be recognized nationwide, reinforcing trust and legal certainty in remote notarization.

---

### **Conclusion: RON’s Future Looks to Be Strong and Expanding**

With widespread statutory support, consistent court rulings, and growing legislative momentum, RON looks to be well on its way to nation-wide acceptance. Even in states that do not yet have their own RON laws, RONs conducted in accordance with the laws of the notary’s jurisdiction remain widely recognized and legally enforceable.

Given California’s recent adoption, New York’s streamlined recognition, and the bipartisan push for federal legislation, it is reasonable to expect that RON will soon be officially respected in all 50 states.

RON offers a reliable, efficient, broadly supported alternative to traditional notarization.

[This article was originally published by Hogan Lovells and updated specifically for DocuSign.](#)

---

<sup>20</sup> *Nicholson et al. v. Eureka Lumber Co.*, 75 S.E. 730, 731 (N.C. 1912) (Conc. Stmt. Clark).

<sup>21</sup> See, e.g., Stephen E. Sachs, *Full Faith and Credit in the Early Congress*, 95 Va. L. Rev. 1201, 1218 (2009).

<sup>22</sup> See, e.g., *Baker v. General Motors*, 522 U.S. 222, 234 (1998); see also *Alaska Packers Ass’n v. Industrial Accident Commission*, 294 U.S. 532 (1935).

**Editor's Note: This article has been updated to reflect recent developments and additional insights. For reference to the original publication, see [here](#).**

### **About Docusign**

Docusign brings agreements to life. Over 1.6 million customers and more than a billion people in over 180 countries use Docusign solutions to accelerate the process of doing business and simplify people's lives. With intelligent agreement management, Docusign unleashes business-critical data that is trapped inside of documents. Until now, these were disconnected from business systems of record, costing businesses time, money, and opportunity. Using the Docusign Intelligent Agreement Management platform, companies can create, commit, and manage agreements with solutions created by the #1 company in e-signature and contract lifecycle management (CLM). For more information visit <http://www.docusign.com>.