§ 10B-134.15. Electronic journal of remote electronic notarial acts.

(a) Notwithstanding G.S. 10B-38, an electronic notary who performs a remote electronic notarization shall enter information about the remote electronic notarization in an electronic journal. The electronic journal shall be the exclusive property of the electronic notary. The electronic notary shall not allow another person to make entries in the electronic journal.

(b) The Secretary shall adopt rules specifying the content and secure storage of the electronic journal. The rules adopted by the Secretary shall comply with all of the following:

(1) Allow for electronic and paper mediums of the electronic journal.

(2) Require retention for 10 years after the remote electronic notarization.

(3) Allow a party involved in a transaction that utilizes remote electronic notarization to require additional information regarding that transaction be included in the electronic journal.

(4) Authorize a third-party vendor, including a licensed platform, to act as a depository or custodian of electronic journals.

(5) Specify to whom the electronic journal shall be delivered upon resignation, revocation, or expiration of a notary commission or death or adjudication of incompetency of an electronic notary.

(c) An electronic notary may surrender the electronic journal to the electronic notary's employer upon termination of employment if the electronic journal consists of remote electronic notarizations made in the conduct of the employer's business, but the electronic notary shall also keep and maintain an accurate backup copy of the journal for 10 years after the last remote electronic notarization entered into the electronic journal.

(d) Except as provided in subsection (c) of this section, the notary shall not surrender or destroy the electronic journal or the communication technology recordings of remote electronic notarial acts except as required by a court order or as allowed under rules adopted by the Secretary. (2022-54, s. 1; 2023-57, ss. 2, 9(h); 2023-124, s. 4.2.)