RECALLED

May 10, 2022

**H. 5338**

Introduced by Regulations and Administrative Procedures Committee

S. Printed 5/10/22--S.

Read the first time May 10, 2022.

**A** **JOINT RESOLUTION**

TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO PROMULGATION OF REGULATIONS PURSUANT TO THE SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5104, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The regulations of the Secretary of State, relating to Promulgation of Regulations Pursuant to the South Carolina Electronic Notary Public Act, designated as Regulation Document Number 5104, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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SUMMARY AS SUBMITTED

BY PROMULGATING AGENCY.

The Office of the Secretary of State proposes to promulgate regulations to appear as Chapter 113, Article 4 of the South Carolina Code of Regulations. The South Carolina Electronic Public Notary Act (Section 26‑2‑5, et seq., Act 85 of 2021) was signed into law on May 18, 2021. The Act provides for notarial acts that can be performed electronically, restrictions for the performance of electronic notarizations, and the requirements to complete an electronic notarization. The Act further sets forth the procedures and requirements to become an electronic notary public and to be registered as an electronic notary solution provider. Prior to acceptance of electronic online notary public applications, administrative rules must be in effect and vendors of technology must be approved by the Secretary of State.

The Notice of Drafting was published in the *State Register* on December 24, 2021.

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