

**CHAPTER 10B****ARTICLE 1 - NOTARY PUBLIC ACT****N.C.G.S. § 10B-3.**

Definitions.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2020-3, s. 4.1(a) — fifth act in the lineage	21 September 2026, 04:45 UTC	edf8772786d6e11473c7bc94 - 40626ed5d1a9a25722430d7a - a9c9062ddd8724dd

The following definitions apply in this Chapter:

Acknowledgment. - A notarial act in which a notary certifies that at a single time and place all of the following occurred:

- a. An individual appeared in person before the notary and presented a record.
- b. The individual was personally known to the notary or identified by the notary through satisfactory evidence.
- c. The individual did either of the following:
 - i. Indicated to the notary that the signature on the record was the individual's signature.
 - ii. Signed the record while in the physical presence of the notary and while being personally observed signing the record by the notary.

Affirmation. - A notarial act which is legally equivalent to an oath and in which a notary certifies that at a single time and place all of the following occurred:

- a. An individual appeared in person before the notary.
- b. The individual was personally known to the notary or identified by the notary through satisfactory evidence.
- c. The individual made a vow of truthfulness on penalty of perjury, based on personal honor and without invoking a deity or using any form of the word "swear".

Attest or attestation. - The completion of a certificate by a notary who has performed a notarial act.

Commission. - The empowerment to perform notarial acts and the written evidence of authority to perform those acts.

Credible witness. - An individual who is personally known to the notary and to whom all of the following also apply:

a.The notary believes the individual to be honest and reliable for the purpose of confirming to the notary the identity of another individual.

b.The notary believes the individual is not a party to or beneficiary of the transaction.

Department. - The North Carolina Department of the Secretary of State.

Director. - The Division Director for the North Carolina Department of the Secretary of State Notary Public Section.

Emergency video notarization. - An acknowledgement, affirmation, or oath notarization completed by a notary in compliance with the requirements of G.S. 10B-25. Emergency video notarization shall not include a verification proof as defined in G.S. 10B-3(28).

Jurat. - A notary's certificate evidencing the administration of an oath or affirmation.

Moral turpitude. - Conduct contrary to expected standards of honesty, morality, or integrity.

Nickname. - A descriptive, familiar, or shortened form of a proper name.

Notarial act, notary act, and notarization. - The act of taking an acknowledgment, taking a verification or proof or administering an oath or affirmation that a notary is empowered to perform under G.S. 10B-20(a).

Notarial certificate and certificate. - The portion of a notarized record that is completed by the notary, bears the notary's signature and seal, and states the facts attested by the notary in a particular notarization.

Notary public and notary. - A person commissioned to perform notarial acts under this Chapter. A notary is a public officer of the State of North Carolina and shall act in full and strict compliance with this act.

Oath. - A notarial act which is legally equivalent to an affirmation and in which a notary certifies that at a single time and place all of the following occurred:

a.An individual appeared in person before the notary.

b.The individual was personally known to the notary or identified by the notary through satisfactory evidence.

c.The individual made a vow of truthfulness on penalty of perjury while invoking a deity or using any form of the word "swear".

Official misconduct. - Either of the following:

a.A notary's performance of a prohibited act or failure to perform a mandated act set forth in this Chapter or any other law in connection with notarization.

b.A notary's performance of a notarial act in a manner found by the Secretary to be negligent or against the public interest.

Personal appearance and appear in person before a notary. - An individual and a notary are in close physical proximity to one another so that they may freely see and communicate with one another and exchange records back and forth during the notarization process.

Personal knowledge or personally know. - Familiarity with an individual resulting from interactions with that individual over a period of time sufficient to eliminate every reasonable doubt that the individual has the identity claimed.

Principal. - One of the following:

a.In the case of an acknowledgment, the individual whose identity and due execution of a record is being certified by the notary.

b.In the case of a verification or proof, the individual other than a subscribing witness, whose:

i.Identity and due execution of the record is being proven; or

ii.Signature is being identified as genuine.

c.In the case of an oath or affirmation, the individual who makes a vow of truthfulness on penalty of perjury.

Record. - Information that is inscribed on a tangible medium and called a traditional or paper record.

Regular place of work or business. - A location, office or other workspace, where an individual regularly spends all or part of the individual's work time.

Revocation. - The cancellation of the notary's commission stated in the order of revocation.

Satisfactory evidence. - Identification of an individual based on either of the following:

a.At least one current document issued by a federal, state, or federal or state-recognized tribal government agency bearing the photographic image of the individual's face and either the signature or a physical description of the individual.

b.The oath or affirmation of one credible witness who personally knows the individual seeking to be identified.

Seal or stamp. - A device for affixing on a paper record an image containing a notary's name, the words "notary public," and other information as required in G.S. 10B-37.

Secretary. - The North Carolina Secretary of State or the Secretary's designee.

02	1998	S.L. 1998-228, s. 2	AMENDED
03	2005	S.L. 2005-391, s. 4	AMENDED
04	2006	S.L. 2006-59, s. 1	AMENDED
05	2020	S.L. 2020-3, s. 4.1(a)	AMENDED

APPARATUS II
4 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 10B-25	(null)(7a)	<i>"in compliance with the requirements of"</i>
G.S. 10B-3(28)	(null)(7a)	<i>"a verification proof as defined in"</i>
G.S. 10B-20(a)	(null)(11)	<i>"notary is empowered to perform under"</i>
G.S. 10B-37	(null)(23)	<i>"and other information as required in"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 10B-3 (2020).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1991, c. 683, s. 2; 1998-228, s. 2; 2005-391, s. 4; 2006-59, s. 1; 2020-3, s. 4.1(a).)

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