



## **Statement of Justification and Reasons for Adoption of Temporary Rules**

**Office of the Secretary of State  
Notary Program Rules  
8 CCR 1505-11**

**October 15, 2020**

### Readopting Rule 5

The Secretary of State finds that certain amendments to the existing notary program rules must be adopted and effective immediately to ensure the uniform and proper administration, implementation, and enforcement of the Colorado Revised Uniform Law on Notarial Acts (RULONA)<sup>1</sup>.

On March 10, 2020, the Colorado Governor declared a disaster emergency due to the COVID-19 contagion. On March 28, 2020, the Colorado Governor issued Executive Order D 2020 019, suspending the requirement for personal appearance before a notary officer as set forth in Section 24-21-506, C.R.S. Executive Order D 2020 087, which extended Executive Orders D 2020 019, 030, and 047, expire on June 28, 2020. On June 26, 2020, the Colorado Governor signed Senate Bill 20-096 concerning an authorization for notaries public to perform notarial acts using audio-video communication. In accordance with new statutory authority, the Secretary readopted Rule 5 on a temporary basis as is necessary to authorize and establish minimum standards for remote notarizations. Today, October 15, 2020, the Secretary of State readopts the temporary rules to continue the rules until permanent rules are established. The Secretary of State simultaneously issued a notice of permanent rulemaking. (For reference: temporary Rule 5 was initially adopted on March 30, 2020, under CCR Tracking #2020-00167 and extended on June 26, 2020, under CCR Tracking #2020-00446.)

For these reasons, and in accordance with the State Administrative Procedure Act, the Secretary of State finds that temporary adoption of the amendments to existing notary program rules is imperatively necessary to comply with state and federal law and to promote public interests.<sup>2</sup>

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<sup>1</sup> Article 24, Title 21 of the Colorado Revised Statutes.

<sup>2</sup> Section 24-4-103(3) (6), C.R.S. (2020).