



Statement of Justification and Reasons for Adoption of Temporary Rules

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

December 1, 2020

New Rules: 2.1.1, 2.3, and 5 (replaces 10/15/2020 emergency rule)

Amended Rules: 3.3.2 and 3.3.3

Renumbered Rules: Rules 2.1.1 through 2.1.6 are renumbered as Rules 2.1.2 through 2.1.7

The Secretary of State finds that certain amendments to the existing notary program rules must be adopted and effective December 31, 2020, to ensure the uniform and proper administration, implementation, and enforcement of the Colorado Revised Uniform Law on Notarial Acts (RULONA)¹.

On October 15, 2020, the Secretary issued a notice of permanent rulemaking. Simultaneously, the Secretary readopted temporary Rule 5 as necessary to extend authorization and minimum standards for remote notarizations until permanent rules may be established. Today, December 1, 2020, the Secretary of State temporarily and permanently adopted New Rule 5 and other rule amendments. Temporary adoption, with a December 31, 2020 effective date, is necessary to implement Senate Bill 20-096. (For reference: the rules are permanently adopted under CCR Tracking # 2020-00819.)

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.²

¹ Article 24, Title 21 of the Colorado Revised Statutes.

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