

CONNECTICUT GENERAL STATUTES

TITLE 1. PROVISIONS OF GENERAL APPLICATION CHAPTER 6. UNIFORM ACKNOWLEDGMENTS ACT

Sec. 1-28. Permissible forms of acknowledgment.

Any instrument may be acknowledged in the manner and form now provided by other laws of this state, or as provided by this chapter.

(1961, P.A. 65, S. 1.) Sections 1-28 through 1-41 cited. 176 C. 17, 23.

Sec. 1-29. Acknowledgments within state.

The acknowledgment of any instrument may be made in this state before: (1) A judge of a court of record or a family support magistrate; (2) a clerk or deputy clerk of a court having a seal; (3) a commissioner of deeds or town clerk; (4) a notary public; (5) a justice of the peace; or (6) an attorney admitted to the bar of this state.

(1961, P.A. 65, S. 2; P.A. 87-316, S. 2.)

History: P.A. 87-316 authorized family support magistrates to take acknowledgments.

Sec. 1-30. Acknowledgments in other states, territories or possessions.

The acknowledgment of any instrument may be made without the state but within the United States or a territory or insular possession of the United States and within the jurisdiction of the officer, before: (1) A clerk or deputy clerk of any federal court; (2) a clerk or deputy clerk of any court of record of any state or other jurisdiction; (3) a notary public; (4) a commissioner of deeds; (5) any person authorized by the laws of such other jurisdiction to take acknowledgments; (6) any attorney admitted to the bar in this state as provided in section 1-31a.

(1961, P.A. 65, S. 3; P.A. 91-110, S. 6, 9.)

History: P.A. 91-110 added Subdiv. (6) permitting acknowledgment of instrument as provided in Sec. 1-31a without the state before attorney admitted to bar in this state.

Sec. 1-31. Acknowledgments without United States.

The acknowledgment of any instrument may be made without the United States before:

(1) An ambassador, minister, charge d'affaires, counselor to or secretary of a legation, consul general, consul, vice-consul, commercial attache, or consular agent of the United States accredited to the country where the acknowledgment is made;

(2) a notary public of the country where the acknowledgment is made;

(3) a judge or clerk of a court of record of the country where the acknowledgment is made;

(4) any attorney admitted to the bar in this state as provided in section 1-31a.

(1961, P.A. 65, S. 4; P.A. 91-110, S. 7, 9.)

History: P.A. 91-110 added Subdiv. (4) permitting acknowledgment of instrument as provided in Sec. 1-31a without the United States before attorney admitted to bar in this state.

Sec. 1-31a. Acknowledgments by attorney outside state.

An acknowledgment of any instrument pertaining to real property located in this state or a power of attorney may be made outside the state before an attorney admitted to the bar in this state. The provisions of this section shall not apply to any acknowledgment made by a remotely located individual, as defined in section 1 of this act, in the conduct of a real estate closing, as defined in section 51-88a.

(P.A. 91-110, S. 8, 9.)

Sec. 1-32. Identification of person making acknowledgment.

The officer taking the acknowledgment shall know or have satisfactory evidence that the person making the acknowledgment is the person described in and who executed the instrument.

(1961, P.A. 65, S. 5; 2023 P.A. 28, S. 2.)

Sec. 1-33. Married women.

An acknowledgment of a married woman may be made in the same form as though she were unmarried.

(1961, P.A. 65, S. 6.)

Sec. 1-34. Certificate of officer.

An officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in one of the following forms:

(1) By individuals:

State of

County of

On this the day of, 20.., before me,, the undersigned officer, personally appeared, known to me (or satisfactorily proven) to be the person whose name subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand.

....

....

Title of Officer.

(2) By a corporation:

State of

County of

On this the day of, 20.., before me,, the undersigned officer, personally appeared who acknowledged himself to be the of, a corporation, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as

In witness whereof I hereunto set my hand.

....

....

Title of Officer.

(3) By an attorney in fact:

State of

County of

On this the day of, 20.., before me,, the undersigned officer, personally appeared, known to me (or satisfactorily proven) to be the person whose name is subscribed as attorney in fact for, and acknowledged that he executed the same as the act of his principal for the purposes therein contained.

In witness whereof I hereunto set my hand.

....

....

Title of Officer.

(4) By any public officer or deputy thereof, or by any trustee, administrator, guardian, or executor:

State of

County of

On this the day of, 20.., before me,, the undersigned officer, personally appeared, of the State (County or City as the case may be) of, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof I hereunto set my hand.

....

....

Title of Officer.

(5) By a limited liability company:

State of

County of

On this the day of , 20. . , before me, , the undersigned officer, personally appeared who acknowledged himself to be the of , a (member managed or manager managed) limited liability company, and that he, as such , being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as

In witness whereof I hereunto set my hand.

. . . .

. . . .

Title of Officer.

(6) By a registered limited liability partnership:

State of

County of

On this the day of , 20. . , before me, , the undersigned officer, personally appeared who acknowledged himself to be the of , a registered limited liability partnership, and that he, as such , being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the registered limited liability partnership by himself as

In witness whereof I hereunto set my hand.

(1961, P.A. 65, S. 7; February, 1965, P.A. 226; 2004, P.A. 04-132)

History: 1965 act removed requirement officer affix seal; (Revisor’s note: The references in this section to the date “19..” were changed editorially by the Revisors to “20..” to reflect the new millennium.) See Sec. 52-262 re fee for taking of acknowledgment. Cited. 176 C. 17, 24, 28.

Sec. 1-35. Identification of acknowledging officer.

The certificate of the acknowledging officer shall be completed by his signature, his official seal if he has one, the title of his office and, if he is a notary public, the date his commission expires.

(1961, P.A. 65, S. 8.)

Sec. 1-36. Authentication.

(1) If the acknowledgment is taken within this state or is made without the United States by an officer of the United States no authentication shall be necessary.

(2) If the acknowledgment is taken without this state, but in the United States, or a territory or insular possession of the United States, the certificate shall be authenticated by a certificate as to the official character of such officer, executed, if the acknowledgment is taken by a clerk or deputy clerk of a court, by the presiding judge of the court or, if the acknowledgment is taken by a notary public, or any other person authorized to take acknowledgments, by a clerk of a court of record of the county, parish or district, or the clerk of the town, in which the acknowledgment is taken. The signature to such authenticating certificate may be a facsimile printed, stamped, photographed or engraved thereon when the certificate bears the seal of the authenticating officer. A judge or clerk authenticating an acknowledgment shall endorse thereon or attach thereto a certificate in substantially the following form:

State of
County of

I (judge or clerk) of the in and for said county, which court is a court of record, having a seal, (or I, clerk of the town of in said county,) do hereby certify that by and before whom the foregoing (or annexed) acknowledgment was taken, was at the time of taking the same a notary public (or other officer) residing (or authorized to act) in said county, and was authorized by the laws of said state to take and certify acknowledgments in said state, and, further, that I am acquainted with his handwriting and that I believe that the signature to the certificate of acknowledgment is genuine.
In testimony whereof I have hereunto set my hand and affixed the seal of the court this day of, 20...

(3) If the acknowledgment is taken without the United States and by a notary public or a judge or clerk of a court of record of the country or the clerk of the town where the acknowledgment is taken, the certificate shall be authenticated by a certificate under the great seal of state of the country, affixed by the custodian of such seal, or by a certificate of a diplomatic, consular or commercial officer of the United States accredited to that country, certifying as to the official character of such officer. The officer authenticating an acknowledgment shall endorse thereon or attach thereto a certificate in substantially the form prescribed in subsection (2) of this section.

(1961, P.A. 65, S. 9; 1971, P.A. 387, S. 2.)
History: 1971 act included town clerks; (Revisor’s note: The reference in this section to the date “19..” was changed editorially by the Revisors to “20..” to reflect the new millennium). See Sec. 47-7 re validity of acknowledgments taken in other state or U.S. territory. These statutory requirements are inapplicable to extradition documentation because Sec. 54-159 provides for authentication by the executive authority. 195 C. 465, 469, 470, 473.

Sec. 1-37. Acknowledgment in compliance with law of other jurisdiction.

(a) Notwithstanding any provision in this chapter, the acknowledgment of any instrument without this state in compliance with the manner and form prescribed by the laws of the place of its execution, if in a state, a territory or insular possession of the United States, or in the District of Columbia, verified by the official seal of the officer before whom it is acknowledged, and authenticated in the manner provided by subsection (2) of section 1-36, shall have the same effect as an acknowledgment in the manner and

form prescribed by the laws of this state for instruments executed within the state.

(b) The provisions of this section shall not apply to any acknowledgment made by a remotely located individual, as defined in section 1 of this act, in the conduct of a real estate closing, as defined in section 51-88a.

(1961, P.A. 65, S. 10; 2023 P.A. 28, S. 4.)

Sec. 1-38. Acknowledgment of person in armed forces.

In addition to the acknowledgment of instruments in the manner and form and as otherwise authorized by this chapter, persons serving in or with the armed forces of the United States or their dependents, wherever located, may acknowledge the same before any commissioned officer in active service of the armed forces of the United States with the rank of second lieutenant or higher in the Army, Air Force or Marine Corps, or ensign or higher in the Navy or Coast Guard. The instrument shall not be rendered invalid by the failure to state therein the place of execution or acknowledgment. No authentication of the officer's certificate of acknowledgment shall be required but the officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in the following form:

On this the day of, 20.., before me,, the undersigned officer, personally appeared (Serial No.) (if any), known to me (or satisfactorily proven) to be (serving in or with the armed forces of the United States) (a dependent of, (Serial No.) (if any), a person serving in or with the armed forces of the United States) and to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained. And the undersigned does further certify that he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the armed forces of the United States.

....

Signature of the Officer

....

Rank and Serial No. of Officer
and Command to which attached.

(1961, P.A. 65, S. 11.) History: (Revisor's note: The reference in this section to the date "19.." was changed editorially by the Revisors to "20.." to reflect the new millennium). See Sec. 27-137.

Sec. 1-39. Prior acknowledgments unaffected.

No acknowledgment taken prior to October 1, 1961, shall be affected by anything contained in this chapter.

(1961, P.A. 65, S. 12.)

Sec. 1-40. Interpretation of chapter.

This chapter shall be so interpreted as to make uniform the laws of those states which enact it.

(1961, P.A. 65, S. 13.)

Sec. 1-41. Short title: Uniform Acknowledgment Act.

This chapter may be cited as the "Uniform Acknowledgment Act".

(1961, P.A. 65, S. 14.)

CHAPTER 8. UNIFORM RECOGNITION OF ACKNOWLEDGMENTS ACT

Sec. 1-57. Definitions. Authorized officers.

For the purposes of this chapter, “notarial acts” means acts which the laws and regulations of this state authorize notaries public of this state to perform, including the administering of oaths and affirmations, taking proof of execution and acknowledgments of instruments, and attesting documents. Notarial acts may be performed outside this state for use in this state with the same effect as if performed by a notary public of this state by the following persons authorized pursuant to the laws and regulations of other governments in addition to any other person authorized by the laws and regulations of this state:

(1) A notary public authorized to perform notarial acts in the place in which the act is performed;

(2) a judge, clerk, or deputy clerk of any court of record in the place in which the notarial act is performed;

(3) an officer of the foreign service of the United States, a consular agent, or any other person authorized by regulation of the United States Department of State to perform notarial acts in the place in which the act is performed;

(4) a commissioned officer in active service with the armed forces of the United States and any other person authorized by regulation of the armed forces to perform notarial acts if the notarial act is performed for one of the following or his dependents: A merchant seaman of the United States, a member of the armed forces of the United States, or any other person serving with or accompanying the armed forces of the United States; or

(5) any other person authorized to perform notarial acts in the place in which the act is performed.

(1969, P.A. 270, S. 1.)

Sec. 1-58. Proof of authority to perform notarial act.

(a) If the notarial act is performed by any of the persons described in subdivisions (1) to (4), inclusive, of section 1-57, other than a person authorized to perform notarial acts by the laws or regulations of a foreign country, the signature, rank or title and serial number, if any, of the person are sufficient proof of the authority of a holder of that rank or title to perform the act. Further proof of his authority is not required.

(b) If the notarial act is performed by a person authorized by the laws or regulations of a foreign country to perform the act, there is sufficient proof of the authority of that person to act if: (1) A foreign service officer of the United States resident in the country in which the act is performed or a diplomatic or consular officer of the foreign country resident in the United States certifies that a person holding that office is authorized to perform the act; or (2) the official seal of the person performing the notarial act is affixed to the document; or (3) the title and indication of authority to perform notarial acts of the person appears either in a digest of foreign law or in a list customarily used as a source of such information.

(c) If the notarial act is performed by a person other than one described in subsections (a) and (b), there is sufficient proof of the authority of that person to act if the clerk of a court of record in the place in which the notarial act is performed certifies to the official character of that person and to his authority to perform the notarial act.

(d) The signature and title of the person performing the act are prima facie evidence that he is a person with the designated title and that the signature is genuine.

(1969, P.A. 270, S. 2.)

Sec. 1-59. Certification by person taking acknowledgment.

The person taking an acknowledgment shall certify that:

- (1) The person acknowledging appeared before him and acknowledged he executed the instrument; and
- (2) the person acknowledging was known to the person taking the acknowledgment or that the person taking the acknowledgment had satisfactory evidence that the person acknowledging was the person described in and who executed the instrument.

(1969, P.A. 270, S. 3.)

Sec. 1-60. Form of certificate.

The form of a certificate of acknowledgment used by a person whose authority is recognized under section 1-57 shall be accepted in this state if:

- (1) The certificate is in a form prescribed by the laws or regulations of this state;
- (2) the certificate is in a form prescribed by the laws or regulations applicable in the place in which the acknowledgment is taken; or
- (3) the certificate contains the words “acknowledged before me”, or their substantial equivalent.

(1969, P.A. 270, S. 4.)

Sec. 1-61. “Acknowledged before me” defined.

The words “acknowledged before me” mean:

- (1) That the person acknowledging appeared before the person taking the acknowledgment;
- (2) that he acknowledged he executed the instrument;
- (3) that, in the case of:
 - (A) A natural person, he executed the instrument for the purposes therein stated,
 - (B) a corporation, the officer or agent acknowledged he held the position or title set forth in the instrument and certificate, he signed the instrument on behalf of the corporation by proper authority, and the instrument was the act of the corporation for the purpose therein stated,
 - (C) a partnership, the partner or agent acknowledged he signed the instrument on behalf of the partnership by proper authority and he executed the instrument as the act of the partnership for the purposes therein stated,
 - (D) a person acknowledging as principal by an attorney in fact, he executed the instrument by proper authority as the act of the principal for the purposes therein stated and
 - (E) a person acknowledging as a public officer, trustee, administrator, guardian, or other representative, he signed the instrument by proper authority and he executed the instrument in the capacity and for the purposes therein stated; and
- (4) that the person taking the acknowledgment either knew or had satisfactory evidence that the person acknowledging was the person named in the instrument or certificate.

(1969, P.A. 270, S. 5.)

History: (Revisor’s note: In 1995 the Revisors substituted editorially the letters (A), (B), (C), (D) and (E) for (i), (ii), (iii), (iv) and (v) in Subdiv. (3) for consistency with statutory usage.)

Sec. 1-62. Statutory short forms of acknowledgment.

The forms of acknowledgment set forth in this section may be used and are sufficient for their respective purposes under any law of this state. The forms shall be known as

“Statutory Short Forms of Acknowledgment” and may be referred to by that name. The authorization of the forms in this section does not preclude the use of other forms.

(1) For an individual acting in his own right:

State of

County of

The foregoing instrument was acknowledged before me this (date) by (name of person acknowledged.)

(Signature of person taking acknowledgment)

(Title or rank)

(Serial number, if any)

(2) For a corporation:

State of

County of

The foregoing instrument was acknowledged before me this (date) by (name of officer or agent, title of officer or agent) of (name of corporation acknowledging) a (state or place of incorporation) corporation, on behalf of the corporation.

(Signature of person taking acknowledgment)

(Title or rank)

(Serial number, if any)

(3) For a partnership:

State of

County of

The foregoing instrument was acknowledged before me this (date) by (name of acknowledging partner or agent), partner (or agent) on behalf of (name of partnership), a partnership.

(Signature of person taking acknowledgment)

(Title or rank)

(Serial number, if any)

(4) For an individual acting as principal by an attorney in fact:

State of

County of

The foregoing instrument was acknowledged before me this (date) by (name of attorney in fact) as attorney in fact on behalf of (name of principal).

(Signature of person taking acknowledgment)

(Title or rank)

(Serial number, if any)

(5) By any public officer, trustee, or personal representative:

State of

County of

The foregoing instrument was acknowledged before me this (date) by (name and title of position).

(Signature of person taking acknowledgment)

(Title or rank)

(Serial number, if any)

(6) For a limited liability company:

State of

County of

The foregoing instrument was acknowledged before me this (date) by (name and capacity of acknowledging member or manager) on behalf of (name of limited liability company) a (member managed or manager managed) (state of organization) limited liability company, on behalf of the company.

(Signature of person taking acknowledgment)

(Title or rank)

(Serial number, if any)

(7) For a registered limited liability partnership:

State of

County of

The foregoing instrument was acknowledged before me this (date) by (name of acknowledging partner), partner (or agent) on behalf of (name of registered limited liability partnership) a (state or place of filing of certificate of registered limited liability partnership) registered limited liability partnership, on behalf of the registered limited liability partnership.

(Signature of person taking acknowledgment)

(Title or rank)

(Serial number, if any)

(1969, P.A. 270, S. 6; 2004, P.A. 04-132)

Sec. 1-63. Prior acts unaffected. Method additional.

A notarial act performed prior to October 1, 1969, is not affected by this chapter. This chapter provides an additional method of proving notarial acts. Nothing in this chapter diminishes or invalidates the recognition accorded to notarial acts by other laws or regulations of this state.

(1969, P.A. 270, S. 7.)

Sec. 1-64. Uniform interpretation.

This chapter shall be so interpreted as to make uniform the laws of those states which enact it.

(1969, P.A. 270, S. 8.)

Sec. 1-65. Short title: Uniform Recognition of Acknowledgments Act.

This chapter may be cited as the “Uniform Recognition of Acknowledgments Act”.

(1969, P.A. 270, S. 9.)

**CHAPTER 15. CONNECTICUT UNIFORM ELECTRONIC
TRANSACTIONS ACT**

Sec. 1-276. Notarization and acknowledgment. If a law requires a signature or record to be notarized, acknowledged, verified or made under oath, the requirement is satisfied if the electronic signature of the person authorized to perform such acts, together with all other information required to be included by other applicable law, is attached to or logically associated with the signature or record.

(P.A. 02-68, S. 11.)

TITLE 3. STATE ELECTIVE OFFICERS

CHAPTER 33. SECRETARY

Secs. 3-91 to 3-94. Notaries public; appointment, term and qualifications; waiver of fees. Record of certificate and oath of notary. Notice of revocation of appointment. Change of name of notary.

Sections 3-91 to 3-94, inclusive, are repealed.

(1949 Rev., S. 84?86; 1957, P.A. 63, S. 1, 2; 178, S. 1; 1959, P.A. 463, S. 1, 2; February, 1965, P.A. 93; 1972, P.A. 127, S. 2; P.A. 76-220; 76-436, S. 247, 681; P.A. 77-614, S. 486, 587, 610; P.A. 78-303, S. 85, 136; P.A. 80-195, S. 1, 2; P.A. 81-34, S. 2?4, 9; P.A. 86-32; P.A. 89-251, S. 61, 62, 203; P.A. 90-154, S. 21.)

Sec. 3-94a. Notaries public. Definitions.

The following terms, when used in sections 3-94a to 3-95, inclusive, shall have the following meanings unless the context otherwise requires:

(1) “Acknowledgment” means a notarial act in which a notary public certifies that a signatory, whose identity is personally known to the notary public or proven on the basis of satisfactory evidence, has admitted, in the notary public’s presence, to having voluntarily signed a document for its stated purpose.

(2) “Copy certification” means a notarial act in which a notary public: (A) Is presented with an original document, (B) copies or supervises the copying of such document using a photographic or electronic copying process, (C) compares the original document presented to the copy, and (D) certifies that the copy is an accurate and complete reproduction of the original document presented, except that a notary public may not complete a copy certification if the original document presented is: (i) A vital record, as defined in section 7-36, (ii) a document that is required to be recorded by an agent or employee of the state or any political subdivision thereof, or (iii) issued by a federal agency and federal law prohibits the copying of such document.

(3) “Jurat” means a notarial act in which a notary public certifies that a signatory, whose identity is personally known to the notary public or proven on the basis of satisfactory evidence, has made, in the notary public’s presence, a voluntary signature and taken an oath or affirmation vouching for the truthfulness of the signed document.

(4) “Notarial act” or “notarization” means any act that a notary public is empowered to perform under the general statutes and includes taking an acknowledgment, administering an oath or affirmation, witnessing or attesting a signature and completing a copy certification.

(5) “Notarial certificate” or “certificate” means the part of, or attachment to, a notarized document to be completed and signed by the notary public.

(6) “Notary public” or “notary” means any person appointed by the Secretary of the State to perform notarial acts.

(7) “Oath” or “affirmation” means a notarial act or part thereof in which a notary public certifies that a person has made a vow in the presence of the notary public on penalty of perjury. In the case of an oath, the vow shall include reference to a Supreme Being unless an affirmation is administered as provided by section 1-23.

(8) “Official misconduct” means (A) a notary public’s performance of an act prohibited by the general statutes or failure to perform an act mandated by the general statutes or (B) a notary public’s performance of a notarial act in a manner found to be negligent, illegal or against the public interest.

(9) “Personal knowledge of identity” means familiarity with an individual resulting

from interaction with that individual over a period of time sufficient to eliminate any reasonable doubt that the individual has the identity claimed.

(10) “Satisfactory evidence of identity” means identification of an individual based on (A) at least two current documents, one issued by a federal or state government and containing the individual’s signature and either a photograph or physical description, and the other by an institution, business entity or state government or the federal government and containing at least the individual’s signature or (B) the oath or affirmation of a credible person who is personally known to the notary public and who personally knows the individual.

(11) “Secretary” means the Secretary of the State.

(P.A. 90-154, S. 1; P.A. 91-110, S. 1, 9; P.A. 12-29, S. 1)

History: P.A. 91-110 amended Subdiv. (6) by adding “unless an affirmation is administered as provided by section 1-23”. Cited. 230 C. 24, 26. Subdiv. (2): Cited. 230 C. 24, 26. Cited. 32 CA 402, 403; judgment reversed, see 230 C. 24 et seq.

Sec. 3-94b. Appointment and qualifications of notary. Application fee. Certificate of appointment.

(a) Except as provided in subsection (c) of this section, the Secretary of the State may appoint as a notary public any qualified person who submits an application in accordance with this section.

(b) In order to qualify for appointment as a notary public, a person shall:

(1) Be eighteen years of age or older at the time of application;

(2) (A) Be a resident of the state of Connecticut at the time of application and appointment, or (B) have one’s principal place of business in the state at the time of application and appointment;

(3) Pass a written examination approved or administered by the Secretary;

(4) Submit an application, on a form prescribed and provided by the Secretary, which the applicant shall complete in the applicant’s handwriting without misstatement or omission of fact. The application shall be accompanied by (A) a nonrefundable application fee of one hundred twenty dollars and (B) the recommendation of an individual who has personally known the applicant for at least one year and is not legally related to the applicant.

(c) The Secretary may deny an application based on:

(1) The applicant’s conviction of a felony or a crime involving dishonesty or moral turpitude;

(2) Revocation, suspension or restriction of a notary public appointment or professional license issued to the applicant by this state or any other state; or

(3) The applicant’s official misconduct, whether or not any disciplinary action has resulted.

(d) Upon approval of an application for appointment as a notary public, the Secretary shall cause a certificate of appointment bearing a facsimile of the Secretary’s signature and countersigned by the Secretary’s executive assistant or an employee designated by the Secretary to be issued to such appointee.

(e) A notary public may obtain a replacement certificate of appointment by filing a written request with the Secretary, accompanied by a nonrefundable fee of five dollars. (P.A. 90-154, S. 2; P.A. 95-76, S. 1, P.A. 09-3, S. 142.)

History: P.A. 95-76 added Subdiv. (2)(B) in Subsec. (b) re option of having principal place of business in the state. Cited. 230 C. 24, 26.

Sec. 3-94c. Term of office of notary. Recording of certificate and oath.

(a) A person appointed as a notary public by the Secretary of the State may exercise the

functions of the office of notary public at any place within the state beginning on the date of such person's appointment and ending five years later on the last day of the month of appointment, unless (1) such appointment as a notary is suspended or terminated by the Secretary before the end of such term, (2) the notary resigns such appointment, or (3) the notary ceases to either be a resident of the state or have one's principal place of business in the state.

(b) The Secretary may, pursuant to regulations adopted in accordance with the provisions of chapter 54, extend or reduce, by not more than one year, the term of any person serving as a notary public on October 1, 1990, who seeks reappointment after such date, in order for the new term for each such notary to begin on the effective date of the notary's reappointment.

(c) Within thirty days after receiving a certificate of appointment from the Secretary, a notary public shall record, with the town clerk of the municipality in the state in which the notary resides, or, if the notary is not a resident of the state, with the town clerk of the municipality in the state in which the notary's principal place of business is located, such certificate and such notary's oath of office taken and subscribed to by the notary before some proper authority. Any notary public who is a resident of the state and whose principal place of business is in a municipality within the state other than the municipality in which the notary resides, may also record the notary's certificate of appointment and oath of office with the town clerk of such other municipality. Town clerks or assistant town clerks may certify to the authority and official acts of any notary public whose certificate of appointment and oath of office have been recorded in the books in their charge. The failure of a notary public to so record such certificate of appointment and oath of office shall not invalidate any notarial act performed by the notary after the date of such person's appointment as a notary public.

(P.A. 90-154, S. 3; P.A. 95-76, S. 2.)

History: P.A. 95-76 amended Subsec. (a) to add provision re notaries having principal place of business in the state and amended Subsec. (b) to add provision requiring recording of certificate of nonresident notaries with town clerk where notary's principal place of business is located.

Cited. 230 C. 24, 26.

Sec. 3-94d. Reappointment of notary.

A notary public may apply for reappointment on a form prescribed and provided by the Secretary, accompanied by a nonrefundable application fee of sixty dollars, and shall otherwise comply with all requirements for being appointed and serving as a notary public. Not later than ninety days before the expiration of the term of a notary public, the Secretary shall send the notary a notice of the expiration and a reappointment application form.

(P.A. 90-154, S. 4.)

Cited. 230 C. 24, 26.

Sec. 3-94e. Appointment of certain state police officers as notaries.

(a) The Secretary of the State may appoint as notaries public, in accordance with the provisions of sections 3-94a to 3-95, inclusive, any number of state police majors, captains, lieutenants and sergeants. The Secretary shall not charge any such person an application fee.

(b) A notary public appointed under this section shall exercise his authority as a notary public only in the administration of oaths and affirmations and the taking of acknowledgments as pertain to official police matters. In such cases the seal of the state police shall be the notarial seal and such notary public shall not charge a fee for such notary's services as a notary public.

(c) Upon terminating employment with the state police, a notary public appointed under this section shall immediately resign as a notary public, in writing. Such resignation shall be effective on the date of such termination of employment.

(P.A. 90-154, S. 5; P.A. 91-110, S. 2, 9.)

History: P.A. 91-110 made technical change in Subsec. (b). Cited. 230 C. 24, 26.

Sec. 3-94f. Prohibitions re lawful transactions.

A notary public shall not unreasonably refuse to perform notarial acts in lawful transactions for any requesting person who tenders payment of the statutory fee.

(P.A. 90-154, S. 6; P.A. 91-110, S. 5, 9.)

History: P.A. 91-110 deleted former Subsec. (a) prohibiting notary from influencing person to enter into or refrain from lawful transaction that involves notarial act and removed obsolete Subsec. (b) indicator. Cited. 230 C. 24, 26.

Sec. 3-94g. Disqualification of notary.

A notary public is disqualified from performing a notarial act if the notary is a signatory of the document that is to be notarized.

(P.A. 90-154, S. 7; P.A. 91-110, S. 3, 9.)

History: P.A. 91-110 deleted language disqualifying notary public from performing notarial act if notary (1) is named in document to be notarized, (2) will receive fee or commission which exceeds permitted statutory fee for notarial act or (3) is legally related to person for whom notarial act is performed. Cited. 230 C. 24, 26.

Sec. 3-94h. Prohibited acts.

A notary public shall not (1) perform any official action with intent to deceive or defraud or (2) use the notary's title or seal in an endorsement or promotional statement for any product, service, contest or other offering.

(P.A. 90-154, S. 8; P.A. 91-110, S. 4, 9.)

History: P.A. 91-110 deleted prohibition that a notary shall not notarize document containing statement known by notary to be false or notarize a blank document. Cited. 230 C. 24, 26.

Sec. 3-94i. Notary's signature.

In completing a notarial act, a notary public shall sign on the notarial certificate only the notary's own name, as it appears on the notary's certificate of appointment.

(P.A. 90-154, S. 9.) Cited. 230 C. 24, 26.

Sec. 3-94j. Official notarial seal.

(a) A notary public, except a state police major, captain, lieutenant or sergeant appointed as a notary public pursuant to section 3-94e, may keep and use an official notarial seal. Such seal shall not be used by any other person or surrendered to any employer upon termination of the notary's employment.

(b) A notary shall immediately destroy the notary's notarial seal upon resigning as a notary or upon the revocation, lapse or expiration of such person's appointment as a notary.

(P.A. 90-154, S. 10.) Cited. 230 C. 24, 26.

Sec. 3-94k. Notarial certificate. Notarial seal. Stamp.

If a notary public utilizes a notarial seal, the notary shall, near the notary's official signature on a notarial certificate, affix an impression of the notarial seal, which shall include: (1) The notary's name exactly as it appears on the notary's certificate of appointment, (2) the words "Notary Public" and "Connecticut" and (3) the words "My commission expires (commission expiration date)", provided the notary may elect to have the words in subdivision (3) appear on a stamp instead of such seal. If the notary does not utilize a notarial seal or stamp, the words "Notary Public" and "My commission expires

(commission expiration date)” shall be typed or printed legibly by the notary near the notary’s official signature on a notarial certificate.

(P.A. 90-154, S. 11.)

Cited. 230 C. 24, 26.

Sec. 3-94l. Liability.

(a) A notary public shall be liable to any person for all damages proximately caused to that person by the notary’s official misconduct.

(b) An employer of a notary shall be liable to any person for any damages proximately caused to that person by the notary’s official misconduct related to the employer’s business, if the employer directed, encouraged, consented to, ratified or approved the notary’s official misconduct, either in the particular transaction or, implicitly, by previous actions in at least one similar transaction.

(c) An employer of a notary shall be liable to the notary for all damages recovered from the notary as a result of official misconduct that was coerced by threat of the employer, if the threat, such as a threat of demotion or dismissal, was made in reference to a particular notarial act, or, implicitly, by the employer’s previous actions in at least one similar transaction. The employer shall also be liable to the notary for damages caused to the notary by demotion, dismissal or other action resulting from the notary’s refusal to commit official misconduct.

(P.A. 90-154, S. 12.)

Cited. 230 C. 24, 26.

Sec. 3-94m. Warning, reprimand, revocation, suspension, resignation.

(a) The Secretary may deliver a written, official warning and reprimand to a notary, or may revoke or suspend a notary’s appointment, as a result of such notary’s official misconduct or on any ground for which an application for appointment as a notary may be denied, or for a violation of any provision of the general statutes.

(b) The termination or lapse of an appointment as a notary, regardless of reason, shall not stop or preclude any investigation into such notary’s conduct by the Secretary, who may pursue any such investigation to a conclusion and issue any finding.

(c) Within thirty days after the resignation, revocation or suspension of a notary’s certificate of appointment, the Secretary shall notify all town clerks within the state, in such manner as the Secretary shall determine, of such resignation, revocation or suspension. The town clerk of any municipality in which such notary’s certificate of appointment or replacement certificate of appointment has been recorded shall note the resignation, revocation or suspension, and the effective date thereof, on the original record of such certificate or replacement certificate.

(P.A. 90-154, S. 13.) Cited. 230 C. 24, 26.

Sec. 3-94n. Change of address of notary. Fee.

Within thirty days after a change of residence address, a notary public who is a resident of the state shall file with the Secretary a signed, written notice which shall include both the old and new addresses. Within thirty days after a change of address of one’s principal place of business, a notary public who is not a resident of the state shall file with the Secretary a signed, written notice which shall include both the old and new addresses. Such notice shall be accompanied by a nonrefundable fee of fifteen dollars. If the change of address is to a different municipality, the notary shall, within thirty days after issuance

of a replacement certificate of appointment by the Secretary, record such certificate with the town clerk of the municipality in which the new address is located. The failure of a notary to so record such replacement certificate shall not invalidate any notarial act performed by the notary.

(P.A. 90-154, S. 14; P.A. 95-76, S. 3, P.A. 09-03. S. 143.)

History: P.A. 95-76 added provision re notice of change of address of principal place of business in the state for nonresident notaries. Cited. 230 C. 24, 26.

Sec. 3-94o. Change of name of notary. Fees.

(a) Within thirty days after a change in the name of a notary public, the notary shall file a notice of the change with the Secretary, on a form prescribed and provided by the Secretary. The notice shall state the notary's old and new names and the effective date of the new name, include such proof of the change of name as the Secretary shall require, be signed by the notary and be accompanied by a nonrefundable fee of fifteen dollars. The notary shall, within thirty days after the issuance of a replacement certificate of appointment by the Secretary, record such certificate with the town clerk of the municipality wherein the notary recorded the notary's original certificate of appointment and oath of office. The failure of a notary to so record such replacement certificate shall not invalidate any notarial act performed by the notary. Any town clerk who is required by statute to make a record of the certificate of appointment and oath of office of a notary shall record the replacement certificate of appointment containing the change of name of the notary upon payment of a fee of fifteen dollars by such notary to the town clerk.

(b) Beginning on the date of issuance of such replacement certificate of appointment by the Secretary, the notary public shall (1) sign the notary's new name on all notarial certificates and (2) if the notary uses a notarial seal, use only a notarial seal that contains the notary's new name.

(P.A. 90-154, S. 15, P.A. 09-03. S. 144.) Cited. 230 C. 24, 26.

Sec. 3-94p. Procedure for resignation of notary.

(a) A notary public may resign as a notary by filing with the Secretary a signed, written notice of resignation which shall indicate the effective date of such resignation.

(b) A notary public who ceases to either reside within the state or have one's principal place of business in the state shall immediately resign as a notary in the manner provided in subsection (a) of this section.

(P.A. 90-154, S. 16; P.A. 95-76, S. 4.)

History: P.A. 95-76 added provision in Subsec. (b) re notaries having principal place of business in the state. Cited. 230 C. 24, 26.

Sec. 3-94q. Death of notary.

As soon as possible after the death of a notary public, the notary's personal representative shall destroy the notary's official notarial seal, if any, and file a signed, written notice, with the Secretary of the State, indicating that the notary public has died and the date of death.

(P.A. 90-154, S. 17.) Cited. 230 C. 24, 26.

Sec. 3-95. Fees of notary.

The fee for any act performed by a notary public in accordance with the provisions of the general statutes shall not exceed five dollars plus an additional thirty-five cents for each mile of travel.

(1949 Rev., S. 3638; P.A. 79-284; P.A. 90-154, S. 18; P.A. 00-138, S. 1, 2.)

History: P.A. 79-284 replaced varying fees for different types of notarization with single fee of one dollar and raised travel charges from ten to fifteen cents per mile; P.A. 90-154 increased fee from one dollar plus fifteen cents a mile to two dollars plus twenty-five cents a mile; P.A. 00-138 increased fee from two dollars plus twenty-five cents a mile to five dollars plus thirty-five cents a mile, effective July 1, 2000. See Sec. 52-259 re court fees. Cited. 230 C. 24, 26.

Sec. 3-95a. Prohibition re notary offering or providing legal advice in immigration matters. Use of title of notario or notario publico. (a) A notary public shall not offer or provide legal advice to any person in immigration matters or represent any person in immigration proceedings unless such notary public (1) has been admitted as an attorney under the provisions of section 51-80 of the general statutes, or (2) is authorized pursuant to 8 CFR 292. 2 to practice immigration law or represent persons in immigration proceedings.

(b) A notary public shall not assume, use or advertise the title of notario or notario publico, unless such notary public (1) has been admitted as an attorney under the provisions of section 51-80 of the general statutes, or (2) indicates in any advertisement or otherwise provides written notice that such notary public is not licensed as an attorney in this state.

(c) Any notary public who violates any provision of this section shall have committed a violation of subsection (a) of section 51-88 of the general statutes and be subject to the penalties set forth in subsection (b) of section 51-88 of the general statutes.

P.A. 13-127, S. 1, eff. Oct. 1, 2013.

Sec. 3-95b. Requirements and procedure re use of remote notarization. Regulations. Prohibitions on use of remote notarization. (a) As used in this section:

(1) “Communication technology” means an electronic device or process that:

(A) Allows a notary public and a remotely located individual to communicate with each other simultaneously by sight and sound; and

(B) When necessary and consistent with other applicable law, facilitates communication with a remotely located individual who has a vision, hearing or speech impairment.

(2) “Identity proofing” means a process or service by which a third person provides a notary public with a means to verify the identity of a remotely located individual by a review of personal information from public or private data sources.

(3) “Outside the United States” means a location outside the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands and any territory, insular possession or other location subject to the jurisdiction of the United States.

(4) “Remotely located individual” means an individual who is not in the physical presence of the notary public who performs a notarial act under subsection (c) of this section.

(b) Except as provided in subsection (i) of this section, a document may be notarized for an individual who is not in the physical presence of the notary public at the time of the notarization if the following requirements are met:

(1) The individual and the notary can communicate simultaneously, in real time, by sight and sound using communication technology; and

(2) When performing a remote notarization pursuant to the provisions of this section, the notary reasonably identifies the individual at the time of notarization by one or more of the following methods:

(A) Personal knowledge of the identity of the individual;

(B) The individual presents a government-issued identification document or record that has not expired and includes the individual's photograph, name and signature. An acceptable form of government-issued identification document or record includes, but is not limited to, a driver's license, government-issued identification card or passport;

(C) Not less than two different types of identity proofing processes or services by which a third person provides a means to verify the identity of the individual through a review of public or private data sources; or

(D) Oath or affirmation by a credible witness who:

(i) Is in the physical presence of either the notary or the individual; or

(ii) Is able to communicate in real time with the notary and the individual by sight and sound through an electronic device or process at the time of the notarization, if the credible witness has personal knowledge of the identity of the individual and has been reasonably identified by the notary by a method provided in this section.

(c) When an individual who is physically located outside of the state of Connecticut or outside the United States seeks a remote notarization pursuant to subsection (b) of this section, the record being notarized shall:

(1) Be intended for filing or presentation in a matter before a court, governmental entity, public official or other entity subject to the jurisdiction of the state of Connecticut;

(2) Involve property located in the territorial jurisdiction of the state of Connecticut or a transaction substantially connected to the state of Connecticut; or

(3) Otherwise not be prohibited by law of the state of Connecticut to be notarized outside the state.

(d) Once the record notarized pursuant to subsection (b) of this section is signed by the individual in accordance with the procedures set forth in this section, the individual shall mail or otherwise cause to be delivered the signed original copy of the record to the notary public for certification and execution with the notary's commission signature and official stamp or seal.

(e) The date and time of a notarization conducted pursuant to subsection (b) of this section shall be the date and time when the notary witnessed the signature being performed by means of communication technology.

(f) Nothing in this section shall affect the authority of a notary public to refuse to perform a notarial act or require a notary public to perform a notarization remotely:

(1) With respect to an electronic record;

(2) For an individual not in the physical presence of the notary; or

(3) Using a technology that the notary has not selected.

(g) The Secretary of the State may adopt regulations in accordance with the provisions of chapter 54 of the general statutes regarding the performance of a notarial act pursuant to this section. Such regulations may:

(1) Prescribe the means of performing a notarial act involving a remotely located individual using communication technology;

(2) Establish standards for communication technology and identity proofing; or

(3) Establish requirements or procedures to approve providers of communication technology and the process of identity proofing.

(h) Prior to adopting or amending regulations governing the performance of a notarial act with respect to a remotely located individual, the Secretary of the State shall consider:

(1) The most recent standards regarding the performance of a notarial act with respect

to a remotely located individual promulgated by national standard-setting organizations and the recommendations of the National Association of Secretaries of State;

(2) Standards, practices and customs of other jurisdictions that have laws substantially similar to this section; and

(3) The views of governmental officials and entities and other interested persons.

(i) No record shall be acknowledged remotely pursuant to subsection (b) of this section in (1) the making and execution of a will, codicil, trust or trust instrument, (2) the execution of health care instructions pursuant to section 19a-575a of the general statutes, (3) the execution of a designation of a standby guardian pursuant to section 45a-624 of the general statutes, (4) the execution of a designation of a person for decision-making and certain rights and obligations pursuant to section 1-56r of the general statutes, (5) the execution of a living will, as defined in section 19a-570 of the general statutes, (6) the execution of a power of attorney, as defined in section 1-350a of the general statutes, (7) the execution of a self-proving affidavit for an appointment of health care representative or for a living will under sections 1-56r and 19a-578 of the general statutes, (8) the execution of a mutual distribution agreement under section 45a-433 of the general statutes, (9) the execution of a disclaimer under section 45a-479 or 45a-583 of the general statutes, or (10) a real estate closing, as defined in section 51-88a of the general statutes. The performance of any such acknowledgment in connection with any of the acts described in this subsection shall be ineffective for any purpose and shall constitute a violation of section 51-88 of the general statutes.

P.A. 23-28, § 1, effective October 1, 2023.)

TITLE 7. MUNICIPALITIES

CHAPTER 92a. UNIFORM REAL PROPERTY ELECTRONIC RECORDING ACT

Sec. 7-35cc. Validity of electronic documents. (a) If a law requires, as a condition for recording, that a document be an original, be on paper or another tangible medium, or be in writing, the requirement is satisfied by an electronic document satisfying sections 7-35aa to 7-35gg, inclusive, of this act.

(b) If a law requires, as a condition for recording, that a document be signed, the requirement is satisfied by an electronic signature.

(c) A requirement that a document or a signature associated with a document be notarized, acknowledged, verified, witnessed or made under oath is satisfied if the electronic signature of the person authorized to perform that act, and all other information required to be included, is attached to or logically associated with the document or signature. A physical or electronic image of a stamp, impression or seal need not accompany an electronic signature.

(P.A. 08-56, S. 3.)

History: P.A. 08-56 eff. October 1, 2009.

TITLE 51. COURTS

CHAPTER 876. ATTORNEYS

Sec. 51-88a Attorneys to complete real estate closings.

(a) Notwithstanding any provision of the general statutes, no person shall conduct a real estate closing unless such person has been admitted as an attorney in this state under

the provisions of section 51-80 of the general statutes and has not been disqualified from the practice of law due to resignation, disbarment, being placed on inactive status or suspension. For the purposes of this subsection, “real estate closing” means a closing for (1) a mortgage loan transaction, other than a home equity line of credit transaction or any other loan transaction that does not involve the issuance of a lender’s or mortgagee’s policy of title insurance in connection with such transaction, to be secured by real property in this state, or (2) any transaction wherein consideration is paid by a party to such transaction to effectuate a change in the ownership of real property in this state.

(b) Any person who violates the provisions of subsection (a) of this section shall have committed a violation of subdivision (8) of subsection (a) of section 51-88 of the general statutes and be subject to the penalties set forth in subsection (b) of section 51-88 of the general statutes.

P.A. 19-88, S. 1, eff. October 1, 2019.