



**OFFICE OF THE
SECRETARY OF STATE**

October 9, 2018

**Notice of Intent to Act Upon Temporary Regulations to
Implement AB 413 of the 2017 Legislative Session**

The Office of the Secretary of State, Notary Division, 202 N. Carson Street, Carson City, Nevada 89701, will hold a public hearing on November 8, 2018, at 9:00 a.m. at the Nevada Legislature Building, 401 South Carson Street, Carson City, Nevada 89701, Room 2134 and video conferenced to 555 E Washington Ave, Las Vegas, Nevada 89101, Room 4412E. The purpose of the hearing is to receive comments from interested persons regarding the adoption of regulations to implement Assembly Bill 413 of the 2017 Session of the Nevada Legislature ("AB 413") and provisions relating to NRS Chapter 240, which among other things, authorizes electronic notaries public to perform authorized electronic notarial acts remotely using audio-video communication and other matters pertaining to electronic notaries public. The agenda below includes the general topics that may be addressed in the hearing.

1. The proposed regulations are required for the implementation of the Electronic Notary Public Authorization Act as required by AB 413 of the 2017 Session of the Nevada Legislature and NRS Chapter 240.
2. The substance of the regulation is to clarify the requirements for the registration, approved technology, and training to become an electronic notary public.
3. The Office of the Secretary of State made a concerted effort to ascertain whether there would be a small business impact, and determined that there would be no direct and significant impact or economic burden upon small businesses or direct restriction on the formation, operation or expansion of a small business. The regulations promote and further ecommerce in the state of Nevada.

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4. With the proposed regulation, the Secretary of State's office does not expect to incur any additional enforcement cost.
5. This regulation does not overlap or duplicate any other regulations.
6. This regulation is not required pursuant to any Federal law.
7. This regulation is not more stringent than any Federal regulation that restricts the same activity.
8. No new fees are established by the regulation(s) that are not already codified in statute.
9. Interested persons may present their views regarding the proposed regulation at the hearing scheduled above and agendized below or by submitting comments in writing to the notary administrator, Lenora Mueller at 202 N. Carson Street, Carson City, NV 89701, 775-684-5749 no later than November 5, 2018.

A copy of the temporary regulations to NAC Chapter 240 are attached or can be found at: www.nv.sos.gov

10. Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

This Notice of Intent to Act Upon Temporary Regulations to Implement AB 413 of the 2017 Legislative Session have been submitted to the Legislative Counsel Bureau for inclusion in the Register of Administrative Regulations created pursuant to NRS 233B.0653 and mailed to all persons who have requested in writing that they be placed upon a mailing list.

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In addition, this Notice has been posted at the following locations:

Nevada Secretary of State's Office, Main Lobby
2250 Las Vegas Boulevard North, Suite 400, North Las Vegas, NV 89030

Nevada Secretary of State's Office Commercial Recordings Main Lobby
202 North Carson Street, Carson City, NV 89701

Nevada State Legislative Building
401 South Carson Street, Carson City, NV 89701

Grant Sawyer Building, Lobby
555 East Washington, Las Vegas, NV 89101

Nevada State Library of Archives
100 North Stewart Street, Carson City, NV 89701

The State Capitol
100 North Carson Street, Carson City, NV 89701

State of Nevada Website
<http://nv.gov/>

Nevada Secretary of State Website
www.nv.sos.gov

Nevada Libraries:

Carson City Library; Churchill County Library; Las Vegas-Clark County Library; Douglas County Library; Elko County Library; Esmeralda County Library; Eureka County Library; Humboldt County Library; Lander County Library; Lincoln County Library; Lyon County Library; Mineral County Library; Pershing County Library; Storey County Clerk's Office; Tonopah Library; Washoe County Library; White Pine County Library

PLEASE NOTE: WRITTEN REQUESTS FOR NOTICE OF ADMINISTRATIVE RULEMAKING LAPSE AFTER SIX MONTHS

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AGENDA

- 1. Call to Order**
- 2. Public Comment: Public comment may be limited to 5 minutes per person.**
- 3. For Possible Action: Presentation, Discussion and Adoption of temporary regulations that pertain to Chapter 240 of the Nevada Administrative Code to prescribe regulations governing the registration and regulation of electronic notaries public.**
- 4. Public Comment: Public comment may be limited to 5 minutes per person.**
- 5. Adjournment**

- *Reasonable efforts will be made for members of the public who have disabilities and require special accommodations for assistance at the meeting. Please call Lenora Mueller at 775-684-5749.*
- *Items may be taken out of order, combined, or removed from the agenda.*
- *Public comment may not be restricted based on viewpoint. However, the agency may refuse to receive comment that is repetitious or irrelevant.*